

# Diamond/Crestview Specific Plan

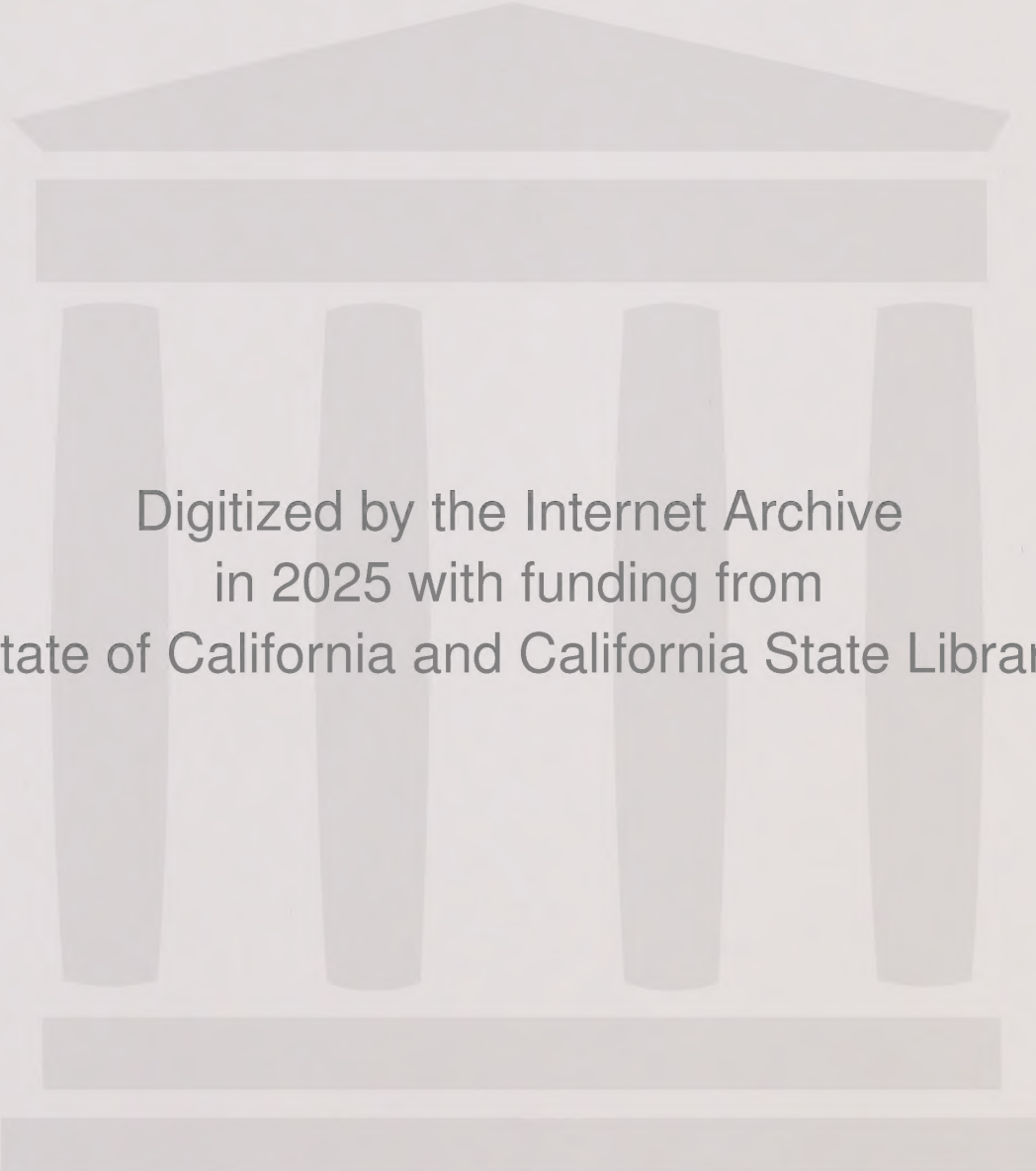
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SECTION I	INTRODUCTION	1
	History and Purpose of a Specific Plan	1
	Local and State Authority	1
	Geographic Description of Planning Area	2
	Relationship to General Plan and	2
	County Planning	2
	Other Part of Plan	4
	Organization of the Plan	5
SECTION II	ANALYSIS OF EXISTING CONDITIONS	6
	Land Use and Circulation	6
	Landmarks Features and Visual Quality	7
	Public and Community Facilities	11
	Environmental Resources	12
SECTION III	LAND USE AND DEVELOPMENT	13
	Goals and Objectives	13
	Topic 1: Vegetation and Wildlife	17
	Topic 2: Cultural Resources	17
	Topic 3: Natural Resources	17
	Topic 4: Street Improvements and Parking	17
	Topic 5: Millage Development	17
	Topic 6: Utilities and Public Facilities	17
	Topic 7: Historic Preservation	17



# DIAMOND/CRESTVIEW

## SPECIFIC PLAN

### TABLE OF CONTENTS

	PAGE
<b>SECTION I</b>	
<b>INTRODUCTION.....</b>	<b>1</b>
Intent and Purpose of a Specific Plan....	1
Legislative History and Authority.....	1
Description of Planning Area.....	2
Relationship to General Plan and Coastal Plan.....	4
Citizen Participation.....	4
Organization of the Plan.....	5
<b>SECTION II</b>	
<b>PROFILE OF DIAMOND/CRESTVIEW NEIGHBORHOOD.....</b>	<b>6</b>
Early History.....	6
General Plan and Zoning.....	7
Lot Configuration and Ownership Patterns.	7
Parking and Circulation.....	9
Landscape Features and Open Space Lands..	9
Public Infrastructure and Utilities.....	11
Environmental Hazards.....	13
<b>SECTION III</b>	
<b>ISSUE STATEMENTS AND POLICIES.....</b>	<b>15</b>
Topic 1: Rustic Atmosphere.....	15
Topic 2: Vegetation and Wildlife Resources .....	17
Topic 3: Natural Hazards.....	20
Topic 4: Street Improvements and Parking.	23
Topic 5: Hillside Development.....	26
Topic 6: Utilities and Public Facilities.	27
Topic 7: Historic Preservation.....	28



	PAGE
<b>SECTION IV</b>	<b>LAND USE AND DEVELOPMENT STANDARDS.....</b>
	30
	Intent and Purpose.....
	31
	Uses Permitted.....
	31
	Development Standards.....
	32
<b>SECTION V</b>	<b>DESIGN GUIDELINES.....</b>
	41
	Architecture.....
	42
	Alterations to Accessory Structures.....
	42
	Building Siting.....
	43
	Roofs.....
	43
	Materials and Colors.....
	46
	Grading.....
	46
	Landscaping.....
	48
	Lighting.....
	48
	Street Improvements, Parking and Signage.
	49
	Fencing.....
	49
<b>SECTION VI</b>	<b>IMPLEMENTATION.....</b>
	50
	Infrastructure Requirements and Costs....
	50
	Revenue Sources.....
	52
	Financing Options.....
	54
	Implementation Measures.....
	58



## LIST OF FIGURES

	PAGE
FIGURE 1 - STUDY AREA.....	3
FIGURE 2 - SPECIFIC PLAN LAND USE DISTRICT.....	8
FIGURE 3 - TOPOGRAPHY.....	10
FIGURE 4 - RESIDENT'S ACQUISITION PRIORITY.....	18
FIGURE 5 - BIOLOGIC OVERLAY.....	21
FIGURE 6 - PREFERRED ACCESS.....	36
FIGURE 7 - GEOLOGIC OVERLAY.....	40
FIGURE 8 - PROPOSED ROAD IMPROVEMENTS.....	61
FIGURE 9 - SANITARY SEWERS.....	64

## LIST OF EXHIBITS

EXHIBIT A - MASSING AND VIEW.....	44
EXHIBIT B - GRADING AND SITING.....	47
EXHIBIT C - ROAD CROSS-SECTIONS.....	62

## LIST OF TABLES

TABLE 1 - COST OF IMPROVEMENTS.....	60
TABLE 2 - ESTIMATED ROADWAY LENGTHS AND QUANTITIES.....	63
TABLE 3 - REDEVELOPMENT AGENCY (RDA) ANALYSIS.....	65
TABLE 4 - RDA AND DEVELOPMENT FEES.....	66



# **SECTION I**

## **INTRODUCTION**





## **SECTION I: INTRODUCTION**

Laguna Beach is regarded as one of the most picturesque communities in Southern California. The unique, natural setting of Laguna Beach, which offers numerous scenic vistas of hillside and coastal areas, inherently shapes the basic identity of the community. The Diamond\ Crestview area, located in the hillside area of Laguna Beach, is a sparsely developed, antiquated residential subdivision constrained by substandard street access, inadequate drainage and substandard utility systems. Development is further constrained by the problems inherent to hillside areas such as very steep topography, ridgelines and rock outcroppings and sensitive geological areas and biological habitats. This combined set of problems mandates sensitive planning solutions.

### **Intent and Purpose of a Specific Plan**

The City formally recognized the need for a Specific Plan in 1983 with adoption of the Land Use Element of the General Plan. The Land Use Element designates Diamond/ Crestview as as one of the areas exhibiting unique physical characteristics and circumstances which preclude the use of existing zoning regulations.

Specific Plans are among the most powerful planning tools authorized by the California Government Code. Specific plans are typically used for areas of special concern, for example, where unusual mixes of uses exist or where there are special environmental, economic or social conditions which need to be addressed. In contrast to conventional zoning, specific plans allow for more detailed regulations and can cover a broader scope of issues. In areas where joint public-private effort is needed, specific plans better coordinate the regulations governing private development with plans and ideas for public improvements.

The value of a specific plan is its adaptability to unique problems and issues. Specific plans allow a local agency to tailor the plans to the particular needs of the study area. Moreover, specific plans establish a comprehensive approach to planning and development issues by integrating community goals and policies, development standards and capital improvement programs under one document. This approach ensures consistency and compatibility in the administration and implementation of the document. The comprehensive nature of the specific plan combined with its unique orientation to localized conditions makes this document a very useful and effective planning tool.

### **Legislative History and Authority**

Section 65450 of the California Government Code allows

local governments to prepare specific plans for the "systematic implementation" of the General Plan. In this context, the Specific Plan is a tool used to implement the provisions of general plan goals and policies. The Government Code establishes certain minimum requirements that must be addressed in a specific plan. These include a text and diagram that specify all of the following in detail:

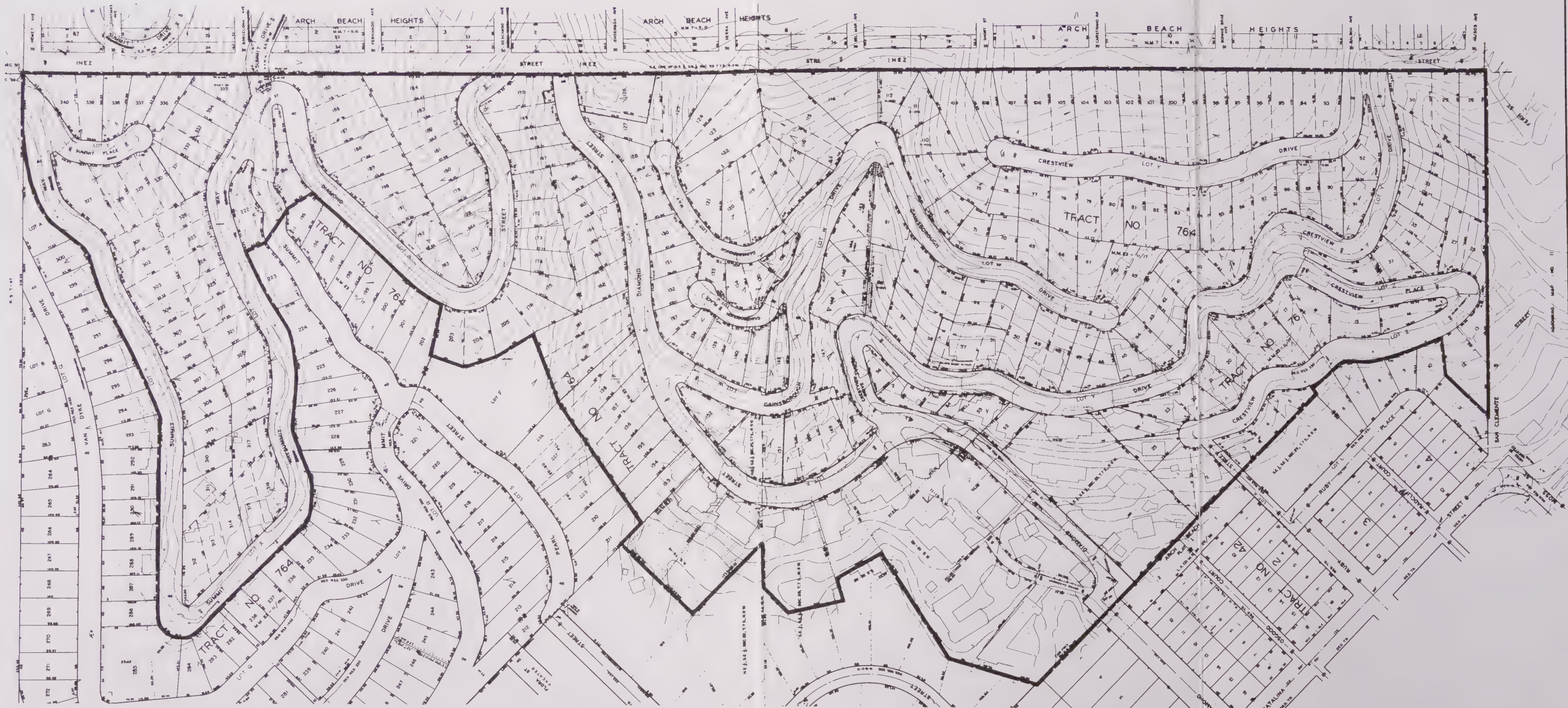
1. The distribution, location and extent of the uses of land including open space within the area covered by the plan.
2. The proposed distribution, location and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed and standards for the conservation, development and utilization of natural resources where applicable.
4. A program of implementation measures including regulations, programs, public works projects and financing of the preceding three paragraphs.

#### **Description of Planning Area**


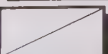

The physical boundaries of Diamond/Crestview are delineated in Figure 1. The Specific Plan covers a portion of Tract 764, subdivided in 1925. This largely undeveloped residential neighborhood consists of approximately 161 lots, most of which are substandard in size and currently undeveloped. The project area is characterized by steep terrain that consists of a series of ridges and canyons that trend east to west. Transversely, topographic relief extends upwards easterly from an elevation of 200 feet above mean sea level to 540 feet above mean sea level in a horizontal distance of approximately 900 feet. This represents an average slope of 38%. The neighborhood supports many natural features including natural watercourses and riparian habitats, prominent rock outcroppings and scenic vistas.

The boundaries shown in Figure 1 were drawn around the portions of Tract 764 that presently either have substandard streets or would experience substandard street conditions once the Plan area experiences buildout. "Substandard street" in this context means any street that

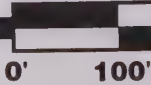




**Legend**

-  Boundary
-  Lot Lines
-  Merged Parcels

**City of Laguna Beach  
Diamond/Crestview Specific Plan**







does not currently provide sufficient improvements to meet minimum desirable levels of safety and convenience based upon current standards of design, i.e., streets that are at least twenty feet wide. Rembrandt, Van Dyke and Summit Drives were excluded because the access they provide to the abutting lot has been previously deemed adequate by City Council action in the 1950's in connection with a sewer assessment district.

### **Relationship to General Plan and Coastal Plan**

The Government Code requires an evaluation of the relationship between a general plan and specific plans. The Diamond/Crestview Specific Plan is intended to establish the framework and action plan to implement the goals and policies of the City's General Plan.

The Laguna Beach General Plan recognizes the unique character of the Diamond/Crestview neighborhood as exemplified in the following language from page 31 of the Land Use Element:

"This largely undeveloped residential neighborhood consists of approximately 200 subdivided lots (most of which remain vacant) in the southern area of the City, between Arch Beach Heights and Bluebird Canyon. The neighborhood is characterized by relatively small parcels (generally under 10,000 square feet), a diversified land ownership pattern, and variable topography ranging in slope between five and forty percent. The neighborhood supports many natural features including natural water-courses and riparian habitats, prominent rock outcroppings, scenic vistas and isolated unstable soils. In addition to environmental hazards, residential development in the neighborhood is also constrained by substandard street access (unimproved and narrow roadways) and inadequate emergency circulation."

As demonstrated in the above-extracts, the Laguna Beach General Plan recognizes the need for a comprehensive planning program to address the unique issues associated with the Diamond/Crestview neighborhood. The purpose of the Specific Plan is to provide the City with the ability to implement the objectives of the General Plan through a comprehensive planning program for Diamond/Crestview.

### **Citizen Participation**

Public participation has traditionally performed a valuable function in the planning process, particularly in reflecting community values and goals. This participation adds quality and credibility to planning studies and engenders public understanding in support for such plans.



Citizen involvement has played an instrumental role in the development of the Diamond/Crestview Specific Plan. A neighborhood meeting with the Homeowners Association was conducted early in the process of developing the Specific Plan in order to exchange information and concerns. Shortly after consultants for the EIR were selected, an EIR scoping meeting was also held and additional information and concerns from the residents and property owners was obtained. Based on the information from the neighborhood meeting and scoping meeting, draft sections of the Specific Plan were prepared by Planning Department staff. A series of public study sessions were held with the Planning Commission, residents and lot owners of Diamond/Crestview and surrounding neighborhoods to refine the community's goals and policies, development standards and design guidelines.

### **Organization of the Plan**

The Diamond/Crestview Specific Plan is organized into six separate sections. This first section introduces the document and explains the intent and purpose of the Plan. Section II describes the physical setting of the Diamond/Crestview neighborhood and provides the reader with a profile of the area's characteristics. Section III explains the issues within the planning area and sets forth the policy framework of the Specific Plan. These policies establish the City's philosophy and attitude about the Diamond/Crestview neighborhood. Section IV represents the development standards intended to implement the goals and policies. Section V is the design guideline component of the specific plan which articulates the City's basic design philosophy. The Specific Plan concludes with Section VI, an evaluation of the implementation program needed to achieve the goals and policies of the Plan.

**SECTION II**  
**PROFILE OF DIAMOND/CRESTVIEW**  
**NEIGHBORHOOD**





## SECTION II. PROFILE OF DIAMOND/CRESTVIEW NEIGHBORHOOD

### Early History

In 1924, the Skidmore Brothers of Laguna Beach bought 60 acres of land in the unincorporated Laguna Beach area and decided to grade roadways on their land. A surveyor was instructed to create a tract map that followed the roadway layout. This became Tract 764, a 340-lot residential subdivision.

The subdivision, originally called Sunset Hills, was approved by the Orange County Board of Supervisors in 1925. The map proposed dedication of several lettered lots as roads to the County. However, the County Board of Supervisors did not accept the lots as public highways. Thus, the streets in the tract were considered private streets.

At the time the subdivision was approved, there were no state or local requirements for the construction of necessary improvements, such as paved roads, sanitary sewers and drainage facilities. A few homes were built along the dirt roads between the 1920's and 1940's.

As a result of less restrictive subdivision requirements in effect during these early years, a number of development problems were created. Tract 764, later renamed Diamond/Crestview, is characterized by relatively small parcels, unimproved and narrow roadways resulting in inadequate emergency access and variable topography ranging in slope from five to forty percent or more.

The City of Laguna Beach was incorporated in 1927 with a population approaching 1,500. Tract 764 was included in the incorporation. In 1940, the City of Laguna Beach adopted its first zoning ordinance which limited uses to residential within Tract 764 and created standards for development. In 1965, the City adopted an ordinance which required a 16-foot wide paved road for access to new houses.

In July, 1964 the City Engineer met with lot owners in Tract 764 to discuss the formation of an Assessment District to improve the area. A petition was circulated in the area requesting the improvements, and submitted to the City Council. The City Council adopted Resolution No. 66-28 which established design standards for the improvement of certain roads in the Tract. The Assessment District failed because of financial unfeasibility within the limits of the 1911 Act. A new improvement district for a portion of the original district was attempted in April of 1967 but this attempt failed for the same reason that the first attempt failed.

In 1985, a group of lot owners filed suit against the City because the City stated in Real Property Reports that certain lots were not building sites since the lots did not front on streets built to City standards. The City maintained that the streets in Tract 764 were private streets and would have to be brought up to code as a condition of building permit approval. In 1987, the trial court determined that the streets were public, but determined that the City is not responsible for the construction, improvement and maintenance of the streets.

The Plaintiffs appealed the trial court decision. The appellate court affirmed in part and reversed in part; the court agreed that the streets are public but found that the City must either restore the access or compensate the lot owners. The City Council decided to investigate the construction of road improvements. Because many of the lots are substandard and the area lacks adequate infrastructure to accommodate the existing lots in the Tract, in April 1990, the Council imposed a building moratorium in order to prepare a specific plan for the area; and in June 1990, the City Council merged lots that did not meet the minimum lot size standards and were held in common ownership.

#### **General Plan and Zoning**

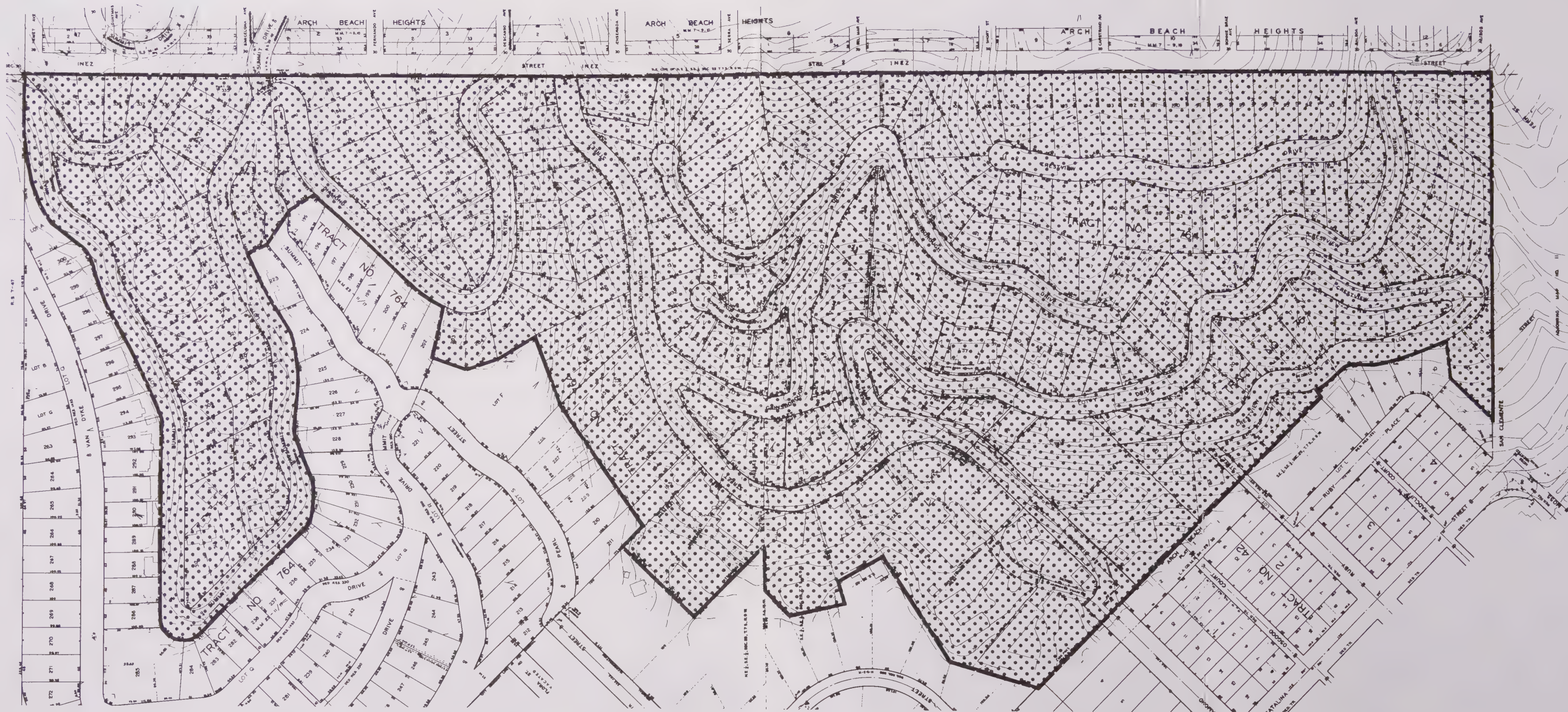
The Plan area is designated as a "Proposed Specific Plan" in the General Plan Land Use Element. The land use designation within the proposed specific plan area is "Village Low Density" which allows for 3 to 7 dwelling units per acre. Zoning which was previously R-1, Village Low Density, will be regulated by the Diamond/Crestview Specific Plan once it is adopted (see Figure 2 - Land Use District).

#### **Lot Configuration and Ownership Patterns**


Tract 764 was originally created by the Skidmore Brothers by grading roadways in the hillside. These roadways served as the basis for a survey of the land which was then subdivided into 340 parcels and ultimately filed as Tract 764 in 1925. The streets were lettered lots on the tract map "for the use of the lot owners of this subdivision". However, the Orange County Board of Supervisors did not accept the lots as public highways. The City considered the streets to be private until the court determined that the streets were public based on the City's exercise of dominion and control.

Within the specific plan boundary, 213 potential building sites supporting approximately 57 homes existed prior to a City initiated merger ordinance. In July, 1990, the City



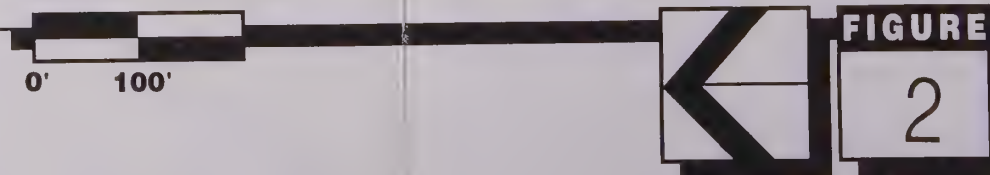


Legend

 Specific Plan Area

# Specific Plan Land Use District

City of Laguna Beach  
Diamond/Crestview Specific Plan









required the merger of substandard parcels under common ownership when situated contiguous to one another for the purpose of creating a minimum parcel size of 6,000 square feet. This action reduced 154 substandard lots into 64 parcels and reduced the overall neighborhood density from approximately 9.0 to 5.6 units per acre.

Presently, the specific plan area consists of approximately 161 parcels held primarily in private ownership. Two water reservoirs, owned by the Laguna Beach County Water District are located on property located between Summit Drive and Summit Way. The parcels range in size from under 3,000 square feet to over 33,000 square feet. However, the majority of the parcels are under 6,000 square feet in area and are considered legal, nonconforming because they do not meet the minimum lot size requirements of the R-1 zone; i.e., 6,000 square feet with a minimum width of 70 feet and depth of 80 feet. The City was not able to merge these substandard parcels because they did not meet the merger criteria, ie. of contiguous ownership.

Residential development has been occurring in piecemeal fashion since the 1930's. Consequently, the only improvements to roads and utilities were built to provide access and essential services to each individual home as it was constructed.

### **Parking and Circulation**

The existing right-of-way depicted on Tract 764 is 40 feet wide. The streets are paved to an average width of 10 to 16 feet. Some of the streets are not paved at all, with some being merely foot paths. The pavement has been installed and maintained by private homeowners and is in very poor condition. Certain portions of the street system provide adequate pavement width for two-way traffic, but many sections allow for the passage of traffic in one direction only.

The majority of the parking within the specific plan area is provided by enclosed garages, covered carports and driveways. Other parking areas are provided on the street by narrow, paved and unpaved pockets along the traveled way.

### **Landscape Features and Open Space Lands**

The Plan area is characterized by steep terrain that consists of a series of ridges and canyons that trend east to west (see Figure 3 - Project Topography). The site contains numerous natural features including watercourses, rock outcrops and scenic vistas. The major biotic communities found within the undeveloped study area are





10 Foot Contour Interval

Source: 1960 Aerial Flight

# Project Topography

City of Laguna Beach

Diamond/Crestview Specific Plan

0 150 FEET



FIGURE

3





coastal sage scrub, chaparral, grasslands, southern oak woodland, riparian brushland, rock outcrops and barrens, maritime desert scrub and coastal strand. An array of ornamental trees, shrubs, vines, bedding plants and groundcovers provide the dominant vegetative cover in the developed westerly portion of the Plan area. Wildlife dispersion corridors exist at the north end of the project site. Diamond Canyon is heavily utilized by deer and contains chaparral bird species as well as some shrub-dominated wetland habitat on the canyon floor. A comprehensive list (Marsh 1991) conducted as part of the Environmental Impact Report for this specific plan identifies over a hundred plant and animal species that were either observed or expected to occur within the project area.

Most of the Plan area consists of small, privately owned parcels which present little opportunity to maintain large open space areas and wildlife preserves. However, acquisition of open space areas located offsite may be considered to mitigate adverse biological impacts associated with Plan buildout.

#### **Public Infrastructure and Utilities**

The following information is a summary of utilities available to the Diamond/Crestview residents:

1. **Electrical Services:** Electrical power in the area is provided by Southern California Edison (SCE). Although there are 12,000 volt distribution lines located in the Plan area, additional lines may need to be added for project buildout. The primary power source is the Morro Substation, located on Laguna Canyon Road.

2. **Natural Gas:** Natural gas service is provided by the Southern California Gas Company (SCG). Several of the existing residences in the project area do not have natural gas service. Lots not currently served are those adjacent to Gainsborough Drive, Gainsborough Way and Gainsborough Place. Those that are partially served are located along portions of Crestview Drive, Diamond Street and Summit Way.

3. **Water:** Potable water for the area is provided by Laguna Beach County Water District (LBCWD). LBCWD is a member agency of the Coastal Municipal Water District which receives its water from the Metropolitan Water District of Southern California (MWD). There are no significant sources of ground water in the area; therefore, LBCWD is entirely dependent on imported water.

LBCWD owns and operates several facilities in the Plan area including pipelines and water storage facilities.

Several older pipelines in Crestview Drive have recently been replaced as part of an ongoing water main replacement program. Two large water tanks are located along Summit Way. The reservoirs supply water to the lower-lying areas of Laguna Beach, including the western portion of the Diamond/Crestview area. Water for the easterly or higher elevations of the site is provided from either the Rimrock or Temple Hills reservoirs, both of which are less than one mile northeast of the study area. All of the storage reservoir capacities are constantly maintained at approximately 75 percent to 100 percent full. Adequate supplies of water currently exist to provide potable water to the residents upon full buildout.

LBCWD anticipates that upon completion of the necessary improvements for project buildout fire flow demands will be met. The new system which includes the installation of new fire hydrants as well as relocations of existing hydrants, can only be tested after it has been installed.

4. Sewage Disposal: Sanitary sewer facilities in the area are owned and maintained by the City of Laguna Beach. An exception to this is a segment of sewer lines located in Crestview Drive which are privately owned. Approximately half of the existing residences in the area are connected to the public sewer system. Those that are not are utilizing on-site septic systems. Existing sewer lines, due to their location, are not capable of serving every house on every street in the Plan area. Many of the lots not served by the existing sewer system are located along portions of Summit Way and portions of Diamond Street. Nearly all of the lots along Gainsborough Drive, Gainsborough Way and Gainsborough Place are also not currently served.

5. Storm Drainage: Storm drain improvements in the Plan area are practically non-existent. Currently, the only storm drain facility directly in the study area is a 24-inch storm drain which runs in a westerly direction from Del Mar Street in Arch Beach Heights, beneath the engineered slope in the Del Mar slide area, and continues straight until it reaches Crestview Drive, where it curves and follows Diamond Street until it merges into a 36-inch pipe at Catalina Street. This pipeline was installed in conjunction with improvements associated with the Arch Beach Heights area.

The existing street system in the Plan area does not have curbs or gutters to direct the flow of water. Surface runoff is directed along paved surfaces before entering the City's storm drain system in lower areas. Since storm runoff is essentially uncontrolled in the Plan area, much of the surface runoff flows into one of the areas natural



watercourses which convey runoff into the City's storm drain network.

6. Telephone Service: Telephone service is provided by General Telephone of California, Inc. (GTE). Telephone calls into and out of the Diamond/Crestview area are processed through the Laguna Beach Central Office which is located at 295 Broadway. GTE facilities in the Plan area consist of phone lines which are either on existing power poles or underground. Areas served by overhead lines are located along portions of Summit Way, Diamond Street, Gainsborough Drive and Crestview Drive. The only underground cables are located toward the end of Summit Drive near Summit Way. There are also several areas where drop lines have been installed from power poles and are currently not in use.

7. Cable Television: There are numerous residences in the Plan area that currently subscribe to cable television service. Cable television service throughout the Plan area is provided by Times Mirror Cable Television which is located in the City of San Juan Capistrano. Transmission cables are located above ground on the existing utility poles.

### Environmental Hazards

The Diamond/Crestview Specific Plan area is subject to certain environmental hazards such as slope instability, storm runoff and wildfires.

**Slope Stability.** The Seismic and Public Safety Element of the General Plan designates the Plan area as having a high probability for slope instability due to particular types of geologic formations. Historically, the most unstable slopes in the Plan area are the steep, south facing slopes underlain by weak bedrock which is interbedded with siltstone and shale. Examples of this are evident along Diamond street near the point where it merges into Summit Drive and also along cutslope areas adjacent to Gainsborough Drive, Gainsborough Place and Gainsborough Way. Several exceptions to unstable, steep, south-facing slopes are found in areas which are underlain by thick or massive beds of sandstone and breccia which have remained stable and are expected to remain so in the future. The best example of slope instability is the landslide which extends easterly, outside of the Plan area, along upper Diamond Street. There are other areas where small slides and slumping and sloughing of road cuts have occurred.

Other issues regarding slope instability are related to the movement of surface materials such as fractured and

weathered portions of bedrock, colluvium and residual soils which are exposed in areas of steep cuts and natural slopes.

**Storm Runoff.** Several natural watercourses exist within the Plan area. Surface water and runoff occur predominantly during periods of rainfall and generally flow along roadsides toward one of the natural watercourses. Most surface drainage is only semi-controlled with the exception of the storm drain facility beneath the engineered slope in the Del Mar slide area.

**Wildfires.** The City of Laguna Beach General Plan designates the Diamond/Crestview area as an extreme fire hazard area and states that it is probably the most difficult area of the City in which to provide fire protection. The rugged terrain and steep walled, heavily vegetated canyons provide the elements for a high fire hazard area. During periods of Santa Ana winds, this area is especially vulnerable to wildfires. In addition to the fire hazard, fire protection is hindered by the existing roadway conditions.



**SECTION III**  
**ISSUE STATEMENTS AND POLICIES**



### **SECTION III. ISSUE STATEMENTS AND POLICIES**

#### **Introduction**

As described in this section and elsewhere in this document, the Diamond/Crestview neighborhood contributes to the uniqueness of Laguna Beach. The following policies, specifically established for the Diamond/Crestview planning area serve as guidelines for decision-making and provide direction, priorities and a vision for the future.

Importantly, these policies set forth the framework for evaluating developments, public and private improvements and implementing actions set forth by the Plan. In accordance with existing City requirements, projects that are reviewed and approved by the City must be found to conform to the policies of the Specific Plan.

This section provides a discussion of the specific issues that the Diamond/Crestview Specific Plan addresses. Each discussion or issue statement is followed by a statement of goals and a series of policies designed to achieve those goals.

#### **TOPIC 1: RUSTIC ATMOSPHERE**

The Diamond/Crestview neighborhood is somewhat isolated and has retained a rustic character despite the rapid urbanization of the surrounding areas. The Plan area has been developed sporadically over many years by individual lot owners, resulting in a mix of architectural styles. Street improvements will facilitate increased density and alter the character of the area through additional construction, graded slopes and retaining walls. Policies and appropriate implementing actions are necessary to preserve the character of the Diamond/Crestview neighborhood and to encourage a small, rustic scale of development with a simple, unaffected character that blends in with nature in a country-like setting.

The unique character of this neighborhood has been achieved by maintaining significant areas of natural open space while building residences that nestle into the hillsides, separated by native growth, foliage and trees.

The streets in the plan area have not been improved to subdivision standards (paved to an appropriate width) or even to a sixteen-foot paved access way of record. It is recognized throughout this Specific Plan that the existing roadways and their relative lack of improvement, contribute to the rustic character of the neighborhood. Street improvements will be necessary to facilitate future



development, but these improvements should be sensitive to the existing conditions. Alternative street designs and surfaces, naturalistic retaining wall designs and materials and environmentally sensitive grading practices will be necessary to maintain the rustic character of the neighborhood.

#### **GOALS**

- A. Preserve and enhance the rustic character of the Diamond/Crestview neighborhood.
- B. Balance the need for street improvements against the objective to protect the existing rustic character of the Diamond/Crestview neighborhood.

#### **POLICIES**

- 1. Ensure that proposed new residences and modifications to existing residences are compatible with the rustic character of the neighborhood by requiring varied and eclectic architectural styles and moderate scale and mass with a low-profile design that respects the topography of the land, in keeping with the Design Guideline component of this Plan.
- 2. Require that new development provide landscaping along the roads to improve the scenic quality of the neighborhood and screen the residences from the roads. Whenever appropriate, encourage landscaping between residences in lieu of walls and fences.
- 3. Exclude new development from the City's requirements for curbs, gutters and sidewalks, and, streetlights except as necessary to protect health and safety.
- 4. Design the roadways in a flexible way to accommodate various widths in accordance with prevailing conditions and constraints in order to maintain the uniquely meandering, rustic feeling that presently exists.
- 5. Encourage irregular placement of new buildings to avoid the appearance of "tract" development.
- 6. Consider and pursue the requirement of easements or the dedication or purchase of environmentally significant open space to ensure the continuation of a rustic atmosphere in the neighborhood.
- 7. Retain and expand the network of hiking trails.
- 8. Where appropriate, require all disturbed areas adjacent to the roads to be revegetated with native

plant species and require public improvements such as retaining walls, berms and bridges to be finished in unobtrusive, natural materials so as to appear rustic and to blend into the hillsides.

9. Preserve existing trees, vegetation and landforms, rock outcroppings and view corridors wherever possible.
10. Provide for a method for the acquisition of parcels that may be of community value because they represent outstanding natural or manmade characteristics or features, such as biological resources, hazards, rock outcroppings, drainage courses, trees, view corridors and features of architectural or historical value such as those identified in the Residents' Acquisition Priority Map (see Figure 4).

## **TOPIC 2: VEGETATION AND WILDLIFE RESOURCES**

Vegetation and wildlife within previously undeveloped areas are particularly vulnerable to human intrusion which disrupts or destroys native plant communities and wildlife corridors. Increased awareness of this vulnerability has made the protection of natural vegetation and wildlife habitats a major goal of this Plan.

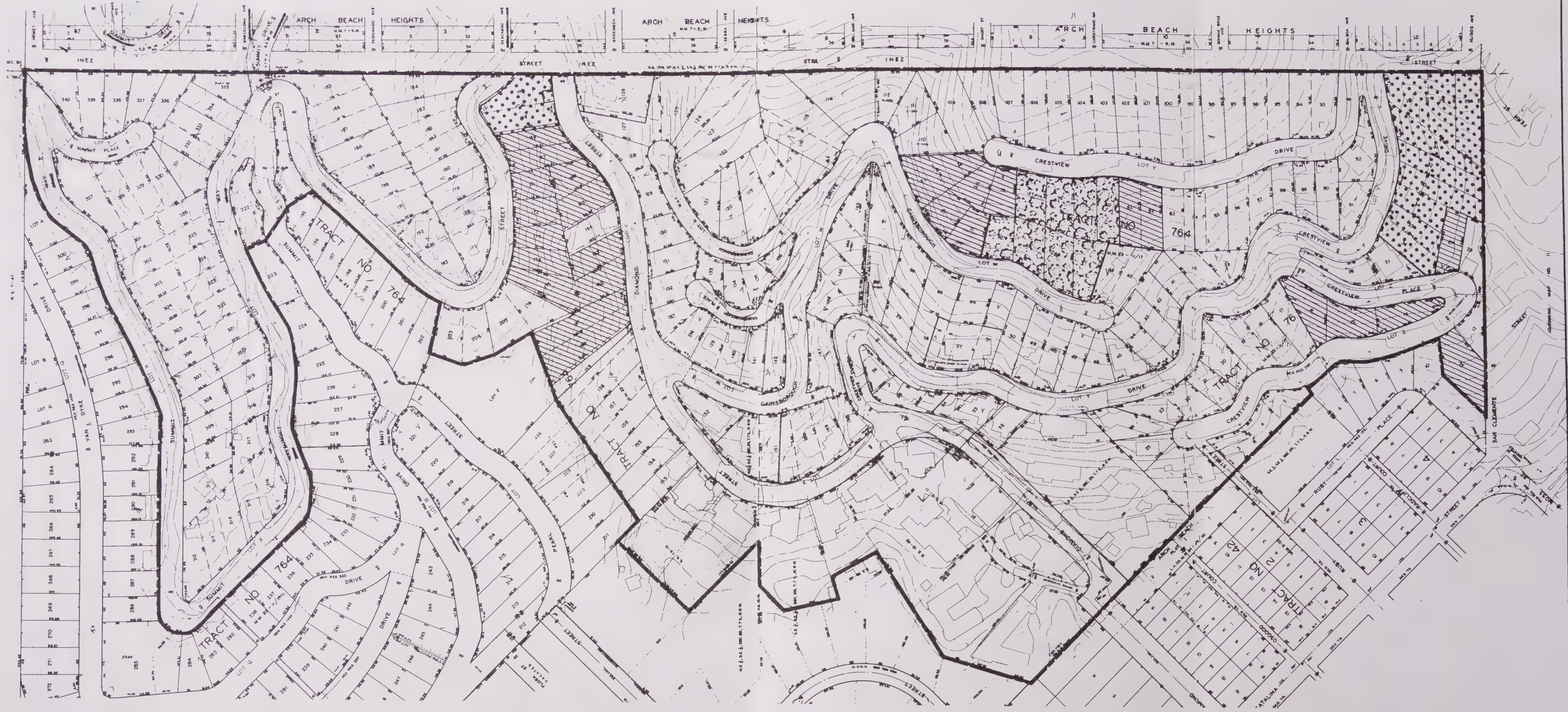
The Specific Plan area is located on the southwestern slope of the Temple Hill Ridge. It lies between two major blue-line drainage courses, Bluebird Canyon to the north and Arch-Porta-Fina Canyon to the south. A series of small canyons dissects its slopes and visually define its neighborhoods. Enough moisture accumulates in the ravines to support marginal wetland conditions. San Clemente Canyon, important for regional wildlife movement, is just south of the tract boundary.

A preliminary Biological Assessment is being prepared for the Plan area. This survey will be available in its entirety as part of the Environmental Impact Report for the Specific Plan. The habitats found on-site possess biological values ranging from low to high, with isolated locales of very high which harbor populations of rare plants. High value habitats occur in the Diamond Canyon watershed, on the remaining natural south and north-facing slopes of Crestview Canyon, on the hillside extending to Juanita Canyon, in the middle Juanita Canyon and between Juanita and San Clemente Canyons.




Coastal Sage Scrub appears to be the most widespread natural habitat type in the undeveloped portion of the Plan area. Coastal Sage Scrub is found on coastal hills and low elevation mountainsides in Orange County and adjacent Counties in Southern California. Due to rapid





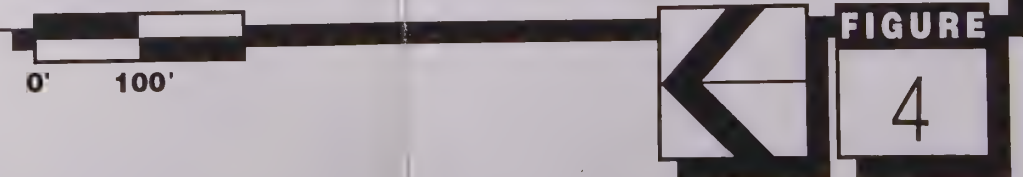


**Legend**  
Lots Identified as High Priority for Acquisition

-  Park Site
-  Excellent View Corridors
-  Open Space

# Resident's Acquisition Priority

## City of Laguna Beach Diamond/Crestview Specific Plan



**FIGURE**  
**4**





development, this habitat has diminished substantially in recent years and is considered threatened.

Chaparral habitat occupies the north-facing slopes and floors of the area's canyons. The large woody shrubs form a dense, difficult-to-penetrate, evergreen cover on these exposures.

An array of ornamental trees, shrubs, vines, bedding plants and groundcovers surround residences in the Plan area. The "urban forest" environment is useful for those wildlife species which are not habitat specific but can utilize resources in both wildlands and non-native thickets and suburban yards.

The Plan area is significantly more heavily utilized by mule deer than it was 10 years ago. Deer are also learning to take advantage of feeding opportunities in suburban areas, browsing on irrigated ornamental vegetation. Because of acclimatization of deer to man, relatively narrow strips of indigenous habitat at key ridge cross-over points are utilized by migrating deer, even though suburban development flanks these closely.

#### GOAL

Conservation of significant biological resources and wildlife habitats.

#### POLICIES

1. Protect, preserve and restore streams, watercourses and riparian habitats in their natural state.
2. Protect mule deer watershed, cross-ridge dispersion corridors, and major bedding, fawning and foraging areas to the greatest extent feasible.
3. Promote the preservation of corridor connections north and south to link preserved lands on-site with the large off-site open spaces of Upper Bluebird/Rancho Laguna and Arch-Porta-Fina Canyons for maintenance of animal migration opportunities.
4. For properties, as identified in the biological study, (see Figure 5, Biologic Overlay) containing or being located adjacent to high or very high value habitats, require a detailed site specific biological assessment as part of the design review process for new development or fuel modification proposals. This assessment will outline the precise extent of the environmentally sensitive area, evaluate the environmental effects of development on adjacent

vegetative and wildlife habitats, and propose mitigation measures.

5. Establish a mitigation fee for acquisition of land as identified in the Biologic Overlay Map (see Figure 5) that is determined to contain critical environmental value for habitat preservation and linkage.
6. Protect endangered and candidate species of plants and animals.
7. Protect significant mature vegetation.
8. Protect high and very high value habitats.
9. Identify the locations of potential Heritage Trees (nominees for potential Heritage Tree listing).

### **TOPIC 3: NATURAL HAZARDS**

The Plan area is located in the Diamond Canyon Watershed. A watershed is an area that collects rainfall and is generally defined as separating two or more drainage systems. A watercourse serves to convey runoff that falls within the watershed.

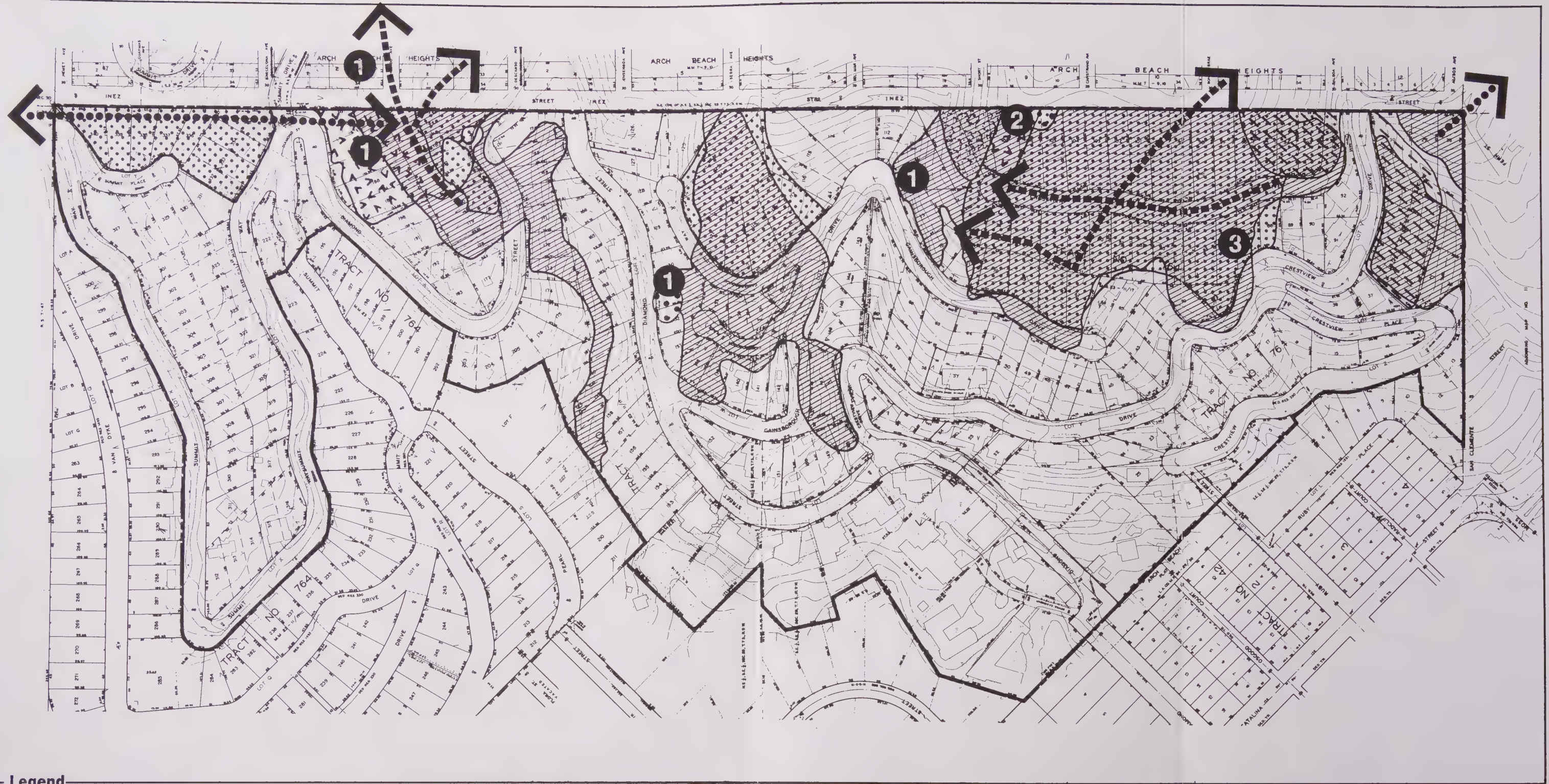
Through the process of erosion, the water flowing from the upper boundaries of the watershed to its point of junction with another stream creates landforms. In the Plan area, such conditions have combined to form striking hills and valleys.

The Plan area is underlain by bedrock covered by a shallow layer of soil. The combination of a relatively shallow soil profile, rocky exposures and steep slopes can produce high rates of runoff. Hazards such as increased erosion and falling rocks can occur when access to steep, rocky terrain is not restricted.

Because of topography, vegetation and climate of the area, a large portion of the Plan area is subject to extreme fire hazard. Steep slopes and deep canyons covered with coastal sage scrub and chaparral surround the developed portions of the Plan area. This type of vegetation is extremely flammable, while the steep topography limits access to the area and inhibits fire fighting efforts. Fuel modification techniques and land use regulations which achieve a balance between fire protection and environmental concerns should be developed.

The stability of slopes throughout the study area is dependent upon slope orientation, slope steepness and the make-up of the earth materials backing the slopes. In general, northerly- and westerly-facing slopes have not





\*Laguna Beach General Plan Designation





been historically prone to instability. Steep, southerly-facing slopes have been most prone to instability, especially where backed by weak bedrock. An exception to this general condition occurs where southerly-facing slopes are composed of high strength, massive to thickly embedded sandstone (sediment cemented into a solid rock).

A landslide which occurred in 1983 extends out of the planning area, easterly from upper Diamond Street. The landslide displays no evidence of recent movement, and a significant quantity of fill has been placed at its toe which provides some support. Future geological investigation may be necessary at the time that final road alignments have been determined.

No significant faults, active or inactive, have been mapped within the study area. One small fault transects the southerly portion of the study area. However, this fault is considered inactive and is not structurally significant.

#### GOAL

Protection of the community from any unreasonable risks associated with natural hazards such as wildfires, landslides and storm runoff.

#### POLICIES

1. Development in potential geologic hazard areas shall be permitted, only if a comprehensive geological and soils report is prepared pursuant to Title 22 of the City's Municipal Code, and adequate mitigation measures which have been approved by the City are implemented. Building in geologically unstable areas, flood-prone lands, and slopes subject to erosion and slippage should be avoided if at all possible.
2. Require site-specific geotechnical investigation for all future development. These site investigations should include subsurface investigation, characterization of geological site conditions, analysis of slope stability, and recommendations for appropriate foundation and grading design.
3. Require a registered geologist on site during any grading operations in areas known as being subject to potential slope instability.
4. Evaluate possible increased erosion along canyon bottoms and resultant destabilization of adjacent properties by undercutting of canyon side slopes on a site-specific basis.

5. Before development occurs, establish the capacity of downstream drainage systems and where necessary, construct off-site improvements so that downstream capacity is not adversely impacted.
6. Promote the use of fire protection techniques such as appropriate building materials, protective devices, interior and exterior sprinkler systems and fuel modification.
7. Assure emergency access at all times.
8. Restrict pedestrian access to slopes steeper than 1 to 1 in order to safeguard health and safety by reducing slope erosion and falling hazards.
9. Encourage the use of fire retardant and drought resistant landscaping that requires less water.

#### **TOPIC 4: STREET IMPROVEMENTS AND PARKING**

In the past 60 years very few improvements have been completed in the Diamond/Crestview neighborhood because the streets were not considered public streets. Paved surfacing has been privately installed to an average width of 10 to 16 feet, but is in poor to very poor condition from lack of maintenance. Many improvements such as driveways, fences, walls and landscaping encroach into the right-of-way.

Development in the neighborhood has been minimal primarily because of inadequate access. Once the streets are installed, previously undevelopable lots will become building sites. Additional paved asphaltic surfaces and new buildings could create additional drainage impacts and an increased need for on-street parking. Upon buildout of the neighborhood, additional traffic will be generated that will impact surrounding residential neighborhoods, particularly lower Diamond.

The street system must be designed to provide adequate access and parking for additional residents and guests while maintaining the City's health and safety standards. It is desirable to maintain the rustic character of the area by allowing the street design to deviate from standard construction requirements. Wherever the terrain permits or when otherwise appropriate, parking pockets should be provided.

#### **GOALS**

- A. A safe and maneuverable street system with adequate parking and minimal landform alteration.

- B. An improved street and circulation system prior to additional development.

### **POLICIES**

1. Permit residential development only after adequate street and infrastructure improvements are in place.
2. Establish a mitigation program for residential construction in order to minimize construction-related effects and congestion; such mitigation program may include providing staging areas, widening roads, providing shuttle service for workers and creating a phasing program.
3. Identify preliminary preferred access points for through lots in order to manage traffic volumes and construction impacts. Approval of building permits shall be conditioned upon dedication of access rights as appropriate to achieve conformity with the specific plan. The Design Review Board may modify the preferred access point through findings that it is not desirable due to view blockage or health and safety concerns.
4. Ensure that a minimum 16 foot unobstructed travel lane be traversable at all times by emergency vehicles.
5. Prohibit extension of Diamond Street as a through street.
6. Provide on-street parking at the rate of one public space per residential parcel, located where terrain conditions permit.
7. Provide additional parking on-site to mitigate on-street parking deficiencies when required public parking cannot be provided.
8. Impose parking restrictions in areas where necessary to ensure a traversable street section of at least 16 feet wide.
9. Locate, design and engineer street improvements in a manner that minimizes effects to existing structures and improvements within the confines of the existing right-of-way. The same consideration shall be extended to significant natural or induced features such as trees, rock outcroppings and drainage courses.
10. Leave existing encroachments into street easements in place unless they interfere with street design. Such encroachments do not accrue a right to be maintained



in place, but are subject to the Revocable Encroachment Permit process upon new construction or substantial remodeling of an existing residence.

11. Modify standard street design to exclude curbs, gutters and sidewalks in order to maintain a rustic appearance. Concrete structures should be used only as necessary for drainage routing and control.
12. Exclude new development from the City's requirement for street lights if it is determined to be safe to do so.
13. Consider the effects of street lighting on biological resources.
14. Minimize roadway and on-site grading by conforming to existing landforms and through the use of over-steepened cut slopes and specially-treated fill slopes, including stabilization by the use of geotextiles or cement-treated soil.
15. Require retaining devices whose components avoid straight vertical and horizontal lines, and use materials that conform with and blend into the hillscape and streetscape. Examples include cribbing, treated timber and rockwork veneers using native materials as detailed in the Design Guideline component of this Plan.
16. For lots adjacent to and that slope toward an improved street, convey all site drainage to such street or other city-approved drainage device.
17. Discharge drainage from lots sloping away from the street towards lower lots as provided by prevailing law; the development of downhill lots that receive runoff shall consider, receive and safely convey runoff originating from uphill properties.
18. Examine alternate routes for ingress/egress.
19. As part of street design address safety issues such as speed control and visibility.
20. Identify construction staging areas prior to the construction of streets or buildings.
21. When appropriate for health and safety, require roadway barrier devices which use materials that blend into the hillscape and streetscape.

## **TOPIC 5: HILLSIDE DEVELOPMENT**

The Diamond/Crestview area is characterized by steep hillsides. These hillsides range from moderate slopes (0-29 percent) to steep (30-44 percent) and very steep slopes (over 45 percent). As discussed in the Open Space\ Conservation Element of the City's General Plan, it is generally desirable to preserve the more steeply sloping portions of the terrain as open space for both aesthetic and environmental reasons.

In terms of aesthetics, steep slopes contribute significantly to the physical character and scenic value of the hillsides. The steepest portions of the hillsides not only constitute one of the most highly exposed portions of the landscape but also contain some of the most distinctive and appealing features, including the faces of cliffs and incised canyon sides. From an environmental standpoint, steep slopes are more sensitive, in that they are prone to instability, soil creep, accelerated erosion and rapid runoff. Generally, the steeper the slope, the greater the hazard and risk of occurrence.

Under certain circumstances, however, it may be desirable to build on the steeper slopes in order to preserve significant environmental habitats. Particularly in the Diamond/Crestview area, the flatter terrain tends to be found on ridgelines and streambeds which are also likely to be the most sensitive environmental areas. Given the number and size of the remaining undeveloped lots in this area, it may not be possible to restrict development to the less steep areas or slopes under 30 percent and also preserve the critical environmental areas.

Since individual lots differ in terms of relative slope, environmental problems and aesthetic significance, each lot proposed for development should be individually evaluated in order to determine the most appropriate measures to protect its aesthetic quality. Such protective measures can include regulating the size, location and design of development.

### **GOAL**

Conserve and protect hillside areas which provide environmentally significant open space and scenic value while allowing development that is sensitive to the terrain.

### **POLICIES**

1. Require buildings to utilize designs which follow the natural topography while minimizing mass and scale,

respecting the rustic neighborhood character and limiting visual intrusion on the natural landscape as required in the Design Guideline component of this Plan and the City's Hillside Development Guidelines.

2. Require the Design Review Board to consider the topography, drainage, soil stability, rock outcroppings, accessibility and public/private view corridors when determining the location of new construction.
3. Maximize the preservation of views of canyon and coastal areas from existing residences and public view points while respecting the rights of property owners proposing new development.
4. Minimize grading and landform alteration through the use of contour grading except as necessary to establish building footprints.

#### **TOPIC 6: UTILITIES AND PUBLIC FACILITIES**

In 1925, the year Tract 764 was recorded, the appropriate governmental agencies did not require the installation of utilities as a condition of approval of the map. Consequently, drainage facilities are, for the most part, non-existent and sanitary sewer service is available to fewer than half of the lots in the subdivision. Power and/or natural gas may have to be upgraded to meet increased demand and communication systems may need to be expanded and placed underground. Water systems to meet fire flow requirements must be established.

In 1967 the residents of the Diamond/Crestview neighborhood tried to form an assessment district to construct sanitary sewers and certain other improvements in the area. The City agreed to retain the services of a qualified Civil Engineer to prepare a preliminary report and estimate of the project to form a basis for determining the economic feasibility of the project. The District failed because it was not financially viable at that time in that the market would not support the bond.

As part of the Specific Plan, the distribution, location, and extent of water, sewer and storm drainage facilities must be determined. The street right-of-way is currently existing and is the likely location for the construction or expansion of the utilities and public facilities. It is much more cost-effective to install public facilities within the existing right-of-way at the time road improvements are constructed. This will eliminate the need to tear out roads or acquire utility easements each



time a new house is built. A coordinated utility plan must be designed and implemented before new street surfaces are constructed.

#### **GOALS**

- A. Extend and upgrade the utility and public facility systems to serve all building sites within the Diamond/Crestview area with minimal disruption to the neighborhood and environment.
- B. Develop a coordinated utility plan prior to construction of new street surfaces.

#### **POLICIES**

- 1. Confine public improvements to existing easements to the maximum extent possible. Easements shall be acquired as necessary for drainage and other utility improvements that out of necessity extend beyond the right-of-way.
- 2. Underground all public utilities.
- 3. Confine construction of public sanitary sewer facilities and other utilities to typical depths of 3 to 4 feet within the street in order to minimize trench grading and excavation.
- 4. Prohibit the installation of on-site sewage disposal.
- 5. Complete installation of utilities and public improvements prior to the issuance of building permits.
- 6. Provide and maintain access to all public/utility facilities, including pipes, conduits, vaults and other substructures.
- 7. Test the existing domestic water supply system to verify adequacy for meeting fireflow demands before new construction is permitted within the project area.
- 8. Establish a sewer hook-up program for existing residences.

#### **TOPIC 7: HISTORIC PRESERVATION**

The Diamond/Crestview area was originally subdivided in 19.5 by the Skidmore Brothers. Since it was one of the earliest subdivisions in the City, it is likely that there are homes with significant historic value. Aerial photographs reveal that minimal development had occurred as of 1930. A survey of City records, however, indicates

that some building permits were issued as early as 1931. The City's Heritage Committee has determined that any structures older than fifty years should be considered for placement on the City's Historic Register if minimal alterations have occurred over the years.

The City's survey of historic structures was completed in 1981; the Diamond/Crestview area was not included within that study. Since that time, the City has developed a Historic Preservation Ordinance that establishes a program for property owners interested in placing their homes on the City's Historic Register. Once placed on the Register, the property owner is eligible for a number of incentives such as parking reductions, permit fee waivers and variance exemptions. Importantly, the rustic character of the Diamond/Crestview area may be preserved by implementing provisions of the Historic Preservation Ordinance.

In order to adequately assess the historic significance of structures and document the history of the area, information should be compiled from newspaper articles and other records. Such information will assist in the preservation of historic structures. Preservation of historically significant homes will benefit the entire community by promoting Laguna's village character, rustic ambiance and cultural heritage.

#### **GOAL**

Identify and preserve historically significant structures.

#### **POLICIES**

1. Encourage the preservation of historic structures through the City's Historic Preservation Ordinance.
2. Inventory the neighborhood for significant historic structures.

**SECTION IV**  
**LAND USE AND DEVELOPMENT**  
**STANDARDS**





## **SECTION IV: LAND USE AND DEVELOPMENT STANDARDS**

### **Introduction**

The Diamond/Crestview neighborhood is a relatively isolated and rustic area of the City. The intent of the Diamond/Crestview Specific Plan is to promote, preserve, and enhance this unique area by creating special land use development standards appropriate for the area. These regulations are intended to implement the goals and policies of the Specific Plan text (Section III). The goals and policies, together with the Design Guidelines and the development standards contained herein, form the development regulations for the Specific Plan area. All other ordinances and sections of the Laguna Beach Municipal Code shall apply to the Diamond/Crestview area, unless such standards are inconsistent with the provisions of the Specific Plan, in which case the Specific Plan shall apply. Title 25 of the Municipal Code (Zoning) is referenced throughout this Chapter as supplemental development standards.

DIAMOND/CRESTVIEW SPECIFIC PLAN  
LAND USE DISTRICT

**Intent and Purpose.**

The intent and purpose of this Section of the Specific Plan is to protect and promote the rustic character of the neighborhood and to allow for the safe and orderly development of the unique area. It is recognized that the Diamond/Crestview area, due to its lot configuration, steep and varied topography, historical development pattern and limited roadway improvements and public service, has special problems which must be solved with specific planning solutions, development controls and public actions. All new development in this zone shall be responsive to the environmental sensitivity of the neighborhood.

**Uses Permitted.** Buildings, structures and land shall be used and buildings and structures shall hereinafter be erected, designed, structurally altered or enlarged only for the following purposes:

(A) Single-family dwelling, except those devoted to time-share use;

(B) Home Occupations, subject to Chapter 25.08;

(C) Child care, subject to the standards in Chapter 25.08;

(D) Passive natural parks, such as view platforms, mini-parks, hiking and walking trails;

**Uses permitted subject to an administrative use permit.**

The following may be permitted subject to the granting of an administrative use permit as provided for in Chapter 25.05.

(A) Family day care home, large, subject to the following standards:

(1) The operator of the facility must be licensed pursuant to the State Health and Safety Code;

(2) A business license shall be obtained;

(3) No signs identifying the day care facility are permitted;

(4) Parking shall be in compliance with Chapter 25.52;

(5) Hours of operation shall be limited to the hours between seven a.m. and seven p.m.;

(6) Outdoor play for children shall not begin before nine-thirty a.m.;

(7) The facility shall comply with State Fire Marshal fire and life safety standards.



**Uses permitted subject to a conditional use permit.** The following uses may be permitted subject to the granting of a conditional use permit as provided for in Chapter 25.05;

(A) Radio, broadcasting and television antenna structures and appurtenances and satellite dishes that exceed twenty feet in height above the existing grade immediately adjacent to the antenna;

(B) Public parks, playgrounds, and such recreation and service buildings as are purely accessory and incidental thereto;

(C) Second residential units subject to the provisions of Chapter 25.17;

(D) Such other uses as the planning commission may deem, after a public hearing, to be similar to and no more obnoxious or detrimental to the health, safety and welfare, than the uses listed above.

**Property development standards.** The following property development standards shall apply to all land and structures in the Diamond/Crestview Specific Plan area:

(A) Lot Area and Dimensions. Each newly created lot shall have a minimum area of six thousand square feet, a minimum width of seventy feet and a minimum depth of eighty feet. Cul-de-sac lots shall have a minimum lot width at the front property line of forty feet;

(B) Building Height.

(1) No new building, additions to existing buildings or structures in the specific plan area shall have a height greater than permitted under the following table when measured from the natural or finished grade, whichever is more restrictive:

(a)	Slope in percent	Height permitted (in feet)
	0 to 15	19
	15+to 20	21
	20+to 25	23
	25+to 30	25
	30+to 35	27
	35+and over	29

(b) Exception - If the total lot coverage does not exceed twenty (20) percent, the height standards as outlined in Section 25.10.008(D) shall apply.

(c) The above height requirement may be modified by the Design Review Board when it is determined that unique topography and/or site conditions make such modification unavoidable and when the proposed development preserves and maintains viewsheds, air, light and privacy, and neighborhood character, minimizes building mass and bulk, and is consistent with the city's design guidelines for hillside development as adopted by Resolution No. 89-104

(2) In addition to subsection (B)(1) above, building height shall be limited to the following:

(b)	Through Lot (Slope in Percent)	Height Permitted above Upper Property Line (in feet)
	0 to 5	19
	5+ to 10	18
	10+ to 15	17
	15+ to 20	16
	20+ to 25	15
	25+ to 30	14
	30+ to 35	13
	35+and over	12

(C) Yards. In order to encourage a sensitive form of development that complements the natural character of the area, all required building setbacks shall be determined by the Design Review Board. The following standards are minimum requirements that in no way shall limit the Design Review Board from increasing the minimum requirements but under no circumstance shall they be less than the following:

(a) The general provisions of Chapter 25.50 shall apply.

33

enclosed building space, required off-street parking, pools, in-ground spas, ground-supported decks and recreation courts, shall depend on lot size. Required on-street and non-required off-street parking that is provided on-site shall not be counted toward the lot coverage limitation. For lots less than six thousand (6,000) square feet in area, lot coverage shall not exceed thirty-five (35) percent; and for lots over ten thousand (10,000) square feet in area, lot coverage shall not exceed twenty-five (25) percent. The maximum lot coverage percentage permissible on any residential lot between six thousand (6,000) square feet and ten thousand (10,000) square feet shall be calculated using the following formula:

$$\text{Lot Coverage (LC)} = 2100 + 0.1 (A - 6000)$$

Where A = lot area (square feet)

(c) Exceptions.

(1) If the garage is detached from the primary structure and separated by at least ten feet and access is taken from downhill, up to 400 square feet in area will not be calculated in the lot coverage.

(2) Where one or more City recognized building sites have been combined through a legally approved and recorded lot merger after the date of adoption of this Specific Plan, the lot coverage may be up to thirty-five (35) percent regardless of the lot size, as approved by the Design Review Board. The maximum allowable habitable building area for the resulting site shall not be less than the sum of the habitable building area that would have been allowed for the individual sites before the merger.

(D) Allowable Building Area (ABA). For lots under six thousand (6,000) square feet in area, the maximum habitable building area (which does not include the garage) shall not exceed ninety-five percent (95%) of the allowable lot coverage. For lots six thousand (6,000) square feet in area and over, the maximum habitable building area shall not exceed two thousand (2,000) square feet plus fifty (50) square feet of habitable building area permitted for every one thousand (1,000) square feet of lot area over six thousand (6,000) square feet. The intent of the ABA requirement is to provide a given entitlement that may only be reduced by the Design Review Board if there are extenuating circumstances such as unique site conditions. The ABA shall be calculated using the following formula:

$$\begin{aligned} \text{Lot size} &< 6000 \text{ square feet:} \\ \text{ABA} &= .95 \times \text{lot coverage} \end{aligned}$$



Lot size > 6000 square feet:

ABA = 2,000 + .05 (lot size - 6000)

(1) Front and Rear Yards

(a) The distance equal to forty (40) percent of the length of the lot shall be distributed between the front and rear yards. In no case shall the front yard be less than eight (8) feet and the rear yard less than ten (10) feet, except as noted in Section 25.50.008(E).

(b) The staggering of front and rear yards between adjacent lots shall be encouraged.

(c) The front and rear yards may be modified by the design review board in order to protect sensitive habitat or wildlife corridors, existing public/private views, significant landforms, rock outcroppings, trees, and drainage courses or other similar types of outstanding features.

(d) Front yards shall not be used for accessory buildings, satellite dish antennas, clotheslines, pools, air conditioning or pool equipment, the storage of trailers, boats, campers, or other materials, or the regular or constant parking of automobiles or other vehicles.

(2) Side Yard - The width of each side yard shall be ten percent of the width of the lot, but in no case less than four feet.

(a) On triangular, gore-shaped, or irregular lots, side yards shall be ten percent of the lot width at any point, with a minimum of three feet.

(b) Side yards shall not be used for accessory buildings, satellite dish antennas, clotheslines, pools, air conditioning or pool equipment, the storage of trailers, boats, campers, or other materials, or the regular or constant parking of automobiles or other vehicles.

(E) Fences and Walls

The provisions of Chapter 25.50 shall apply with the following exception:

(a) Fencing of the entire perimeter of the lot shall be prohibited; other fencing is discouraged; all fencing is subject to Design Review Board approval.

(b) Fencing shall not interfere with identified animal migration corridors.

(F) Space Between Buildings

The provisions of Chapter 25.50 shall apply.

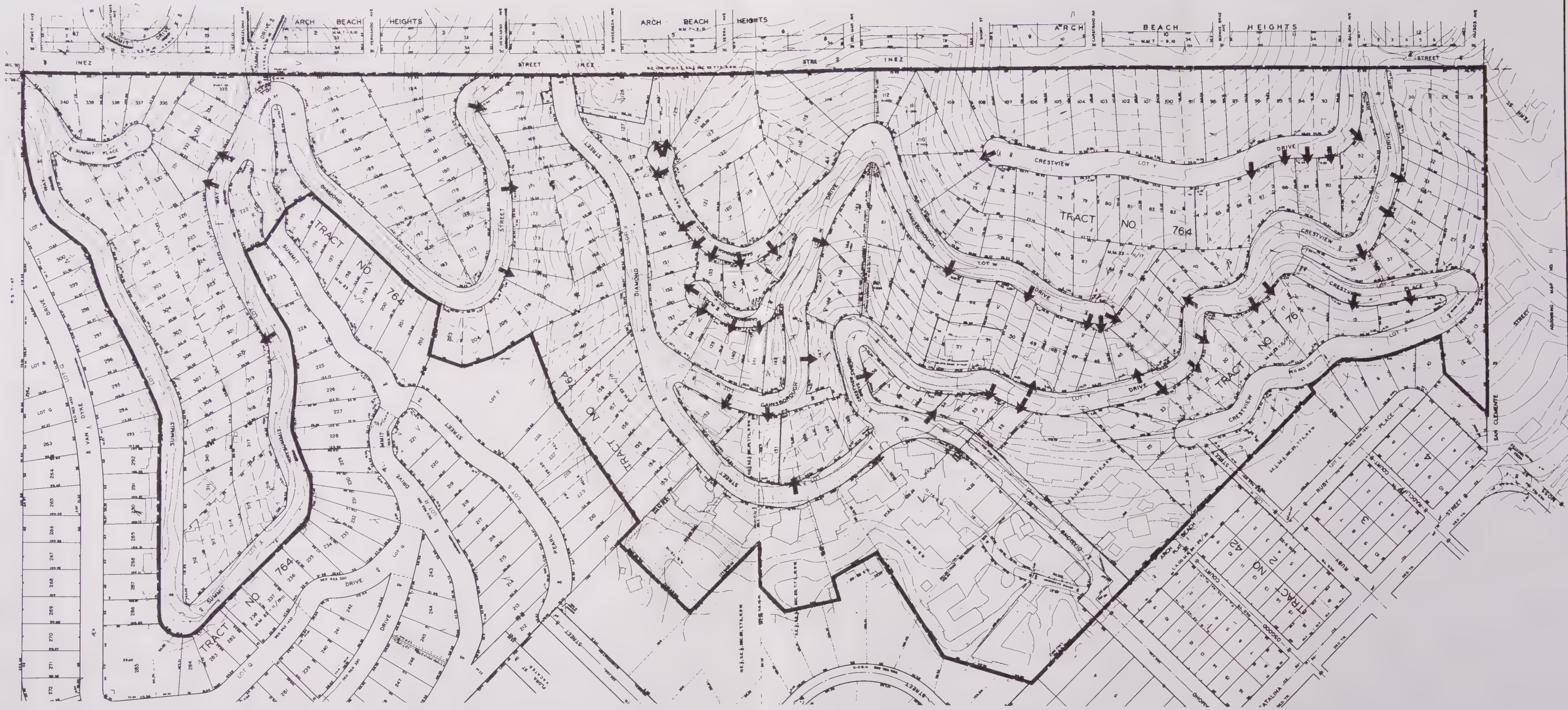
(G) Grading

The provisions of Chapter 22.04 shall apply. In addition, exposed heights of retaining walls in a cut or fill condition shall not exceed five (5) feet with the exception of retaining walls required for street improvements, which may not exceed twenty-five (25) feet.

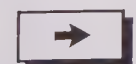
(H) Access

The provisions of Chapter 25.53 shall apply. Access to individual lots shall be as delineated on the preferred access map labeled Exhibit 6. Approval of building





Legend



Preferred Access

# Preferred Access

## City of Laguna Beach Diamond/Crestview Specific Plan



FIGURE  
6





permits shall be conditioned upon dedication of access rights as appropriate to achieve conformity with this Plan. The Design Review Board may modify the preferred access point through findings that it is not desirable due to view blockage, significant landforms, rock outcroppings, trees, drainage courses and other similar types of outstanding features or health and safety concerns.

(I) Off-street Parking

The provisions of Chapter 25.52 shall apply with the following exceptions:

(1) Upon development of a building site, one (1) on-street public parking space shall be provided. If the provision of on-street parking is found to be infeasible, an equivalent parking space shall be provided on-site. Only upon exhaustion of all possible alternatives to provide a parking space either on-street or on-site and with approval of a variance, an in-lieu fee as established by City Council, shall be paid to fund the future installation of parking in the neighborhood.

(2) Parking of recreational vehicles (as defined in Section 18010 of the California Health and Safety Code) in excess of eighteen (18) feet in length including campers or trailers of any kind, boats and similar vehicles, shall not be permitted in the Diamond/Crestview Specific Plan area.

(3) No other vehicle which exceeds eighteen feet (18) in length, seven (7) feet in overall width, and eighty-four (84) inches in height measured from the ground to the highest part of the vehicle (excluding antennas and lights), shall be parked, kept, placed, or maintained within the Diamond/Crestview Specific Plan area overnight.

(4) On-site parking shall use permeable materials or grass-road pavers whenever possible.

(J) Residential Sprinklers. All new structures and additions to existing structures that exceed fifty percent of the existing square footage shall install interior automatic fire sprinklers.

(K) Residential Compatibility. All new development shall be compatible with the immediate residential neighborhood with respect to scale, mass and height.

(L) Design Guidelines. All new development shall conform with the requirements of the Design Guideline component of this Plan and the City's Hillside Development Guidelines.

(M) Design Review. The Design Review approval is a two-step process. All structures, physical improvements and site developments shall be subject to the following provisions:

(1) Concept Review. Concept review is required prior to submittal for approval of the final design of the structure(s).

(2) Final Design Approval. After the Design Review

Board reviews the location and design of the structure(s) through the concept review process, plans may be submitted to the Community Development Department for final design approval by the Design Review Board. In addition to submittal requirements established by the Director of Community Development, the following information shall be required:

(a) Site-specific biological assessment for properties identified as containing or being located adjacent to high or very high value habitats for new development or fuel modification proposals;

(b) Site-specific geotechnical investigation that includes subsurface investigation, characterization of geological site conditions, analysis of slope stability, and recommendations for appropriate foundation and grading design.

(c) Site-specific evaluation of possible increased erosion along canyon bottoms and resultant destabilization of adjacent properties by undercutting of canyon side slopes.

(d) Identification of construction staging area to include construction material storage areas, parking areas for construction equipment and worker's vehicles and shuttling plan for the workers.

(e) Constraint analysis plan for the location of the proposed development and any fuel modification proposals that considers the topography, drainage, soil stability, rock outcroppings, trees, accessibility, public/private view corridors and high and very high value habitats, wildlife and migration corridors.

(f) A conceptual grading plan with proposed cut and fill areas clearly delineated. The grading plan shall include a sufficient number of slope profiles to clearly illustrate the extent of the proposed grading. Contours shall be shown for existing conditions and proposed work.

(N) Staff Report. A written report shall be prepared by the Community Development Department and submitted to the Design Review Board for each application within the Plan Area.

(O) Findings. Based upon the information contained in the staff report and the documentation required in Section (M)(2) above, the Design Review Board shall approve or deny the application based upon the goals, policies, standards and criteria established in this Specific Plan in addition to the criteria listed in Section 25.05.040 of the Laguna Beach Municipal Code and shall be substantiated by the following findings:

(1) The proposed use is compatible with surrounding land uses and is consistent with the intent and purpose established in this specific plan;

(2) The site is adequate in size and shape to accommodate the proposed development;

(3) All necessary public improvements have been provided or will be required as conditions of approval;

(4) The project will not cause any significant environmental impacts and appropriate mitigation measures, if any, have been incorporated into the project or are attached as conditions of approval;

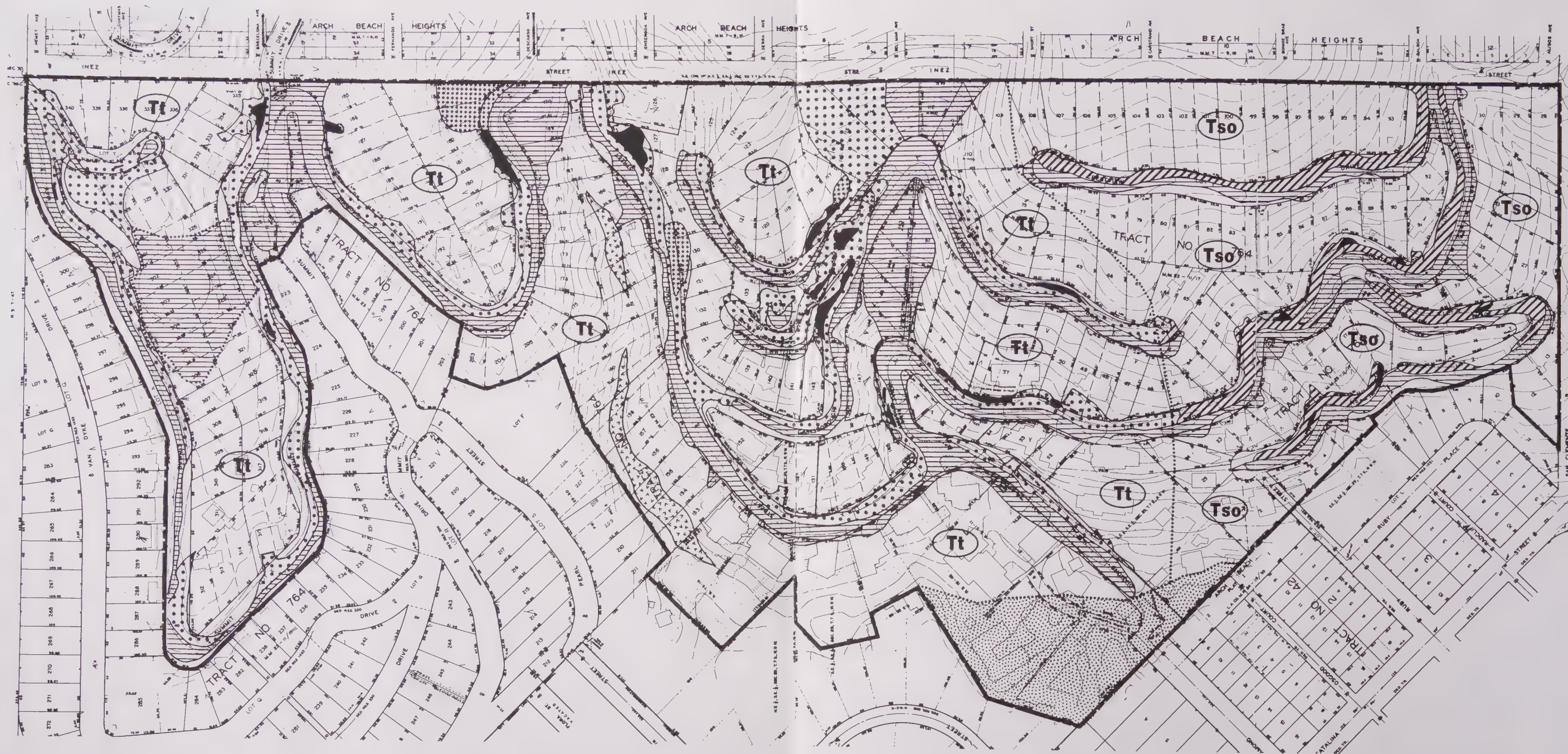
(5) The project complies with the development standards and design guidelines of this specific plan; and

(6) The project mitigates or avoids environmental constraints of the lot as identified in the site specific studies and/or overlay maps of high and very high value biological habitats and unique geological features (Figures 5 & 7).




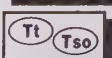

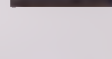

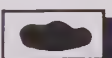









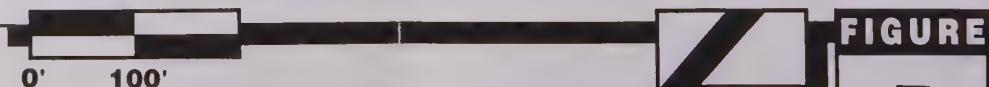
# Legend

- |  |   |   |   |
|--|---|---|---|
|  | Undifferentiated Uncertified and Certified Fill |  | Topanga Formation   |
|  | Alluvium  |  | Residual Soil, Colluvium and Development<br>Covering Bedrock Strata;<br>Circled Symbol Indicates Underlying Bedrock Formation |
|  | Nonmarine Terrace Deposit                       |  | Slough  |
|  | Landslide, Querried Where Probable              |  | Approximate Location of Geologic Contact  |
|  | San Onofre Breccia                              |   |   |

## Geologic Overlay

### City of Laguna Beach

#### Diamond/Crestview Specific Plan



FIGURE

7







**SECTION V**  
**DESIGN GUIDELINES**



## **SECTION V: DESIGN GUIDELINES**

### **Introduction**

The terrain of the Diamond/Crestview area provides unique and significant character to the neighborhood and forms an integral part of the City's total environment. Development of the hillside areas will affect the visual and environmental character of the community. The primary objective of the Specific Plan is to preserve the natural terrain and aesthetic character of the neighborhood while encouraging creative, innovative, and safe residential development with a variety of housing types.

The design guideline component of this Specific Plan is composed of written statements which articulate the City's basic design philosophy. The design guidelines establish the goals and concepts for design that is appropriate to the area and provide the framework for the City's design review process. Well-designed buildings, landscaping and open spaces reflect the quality and values of a community, enhance the visual character of the City and increase building and property values. The guidelines focus on the composition of good design and represent the design interests and priorities of the City. Each project that requires design review must be consistent with these guidelines.

### **DESIGN POLICY**

The appearance of structures in the Diamond/Crestview Specific Plan should reflect individuality of design and should take into consideration the following:

- \* The size, scale and mass of the structure in proportion to the lot area and configuration;
- \* The amount of usable outdoor living area as it relates to the total lot area and allowed lot coverage;
- \* The design and proportion of roofs;
- \* The privacy of adjoining properties;
- \* Views, especially of the ocean from the site and adjacent dwellings;
- \* Respect for architectural character and massing with adjoining properties and the natural and historic qualities of the neighborhood; and
- \* Integration of the structure with the natural topography of the site.



- \* Environmental sensitivity, particularly the unique botanical and biological features of the site.

## **DESIGN GUIDELINES**

### **Architecture**

- 1) Designs should be appropriate to the unique features of the site and should complement the natural terrain.
- 2) Structures must complement the general design and massing of buildings in the neighborhood. New buildings must be sympathetic to the scale, form and proportion of older development.
- 3) Design repetition that results in the appearance of sameness between structures must be avoided.
- 4) A harmonious mixture of materials, color and forms shall be used to blend with the natural hillsides.
- 5) Architectural details and materials used on the front of the building should be extended to a portion of all sides of the building, including the rear. Treatment to the front facade only is not acceptable.
- 6) Use of tack-on elements, artificial materials and trendy, imitation design elements are discouraged. The honest use of materials is encouraged.
- 7) Tract type massing and "plant-on" details are discouraged.
- 8) Excessive above-grade decking should be avoided.

### **Alterations and Accessory Structures**

- 1) Accessory structures and alterations to existing structures shall maintain the same architectural style as the primary structure.
- 2) The same materials, colors, textures and decorative elements used on the existing structure or principal structure generally should be used on all additions and accessory structures.
- 3) Roofs of additions and accessory structures shall relate style and pitch of the roof to the principal or existing structure.

### **Building Siting**

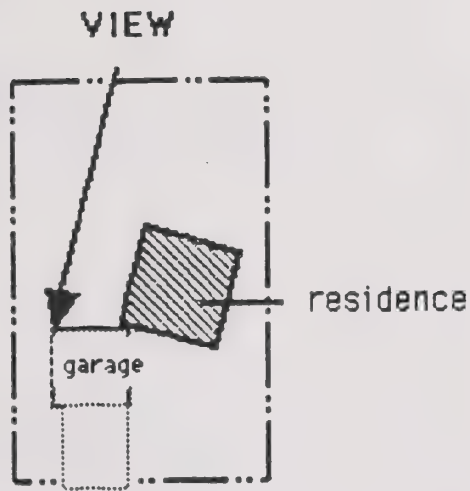
- 1) The structures shall relate to the natural topography.
- 2) Unique features of individual sites (e.g. mature trees, rock outcroppings, drainage courses, geologic, hydrologic, environmentally sensitive biologic resources, etc.) shall be preserved to the greatest extent possible.
- 3) The preservation of views of coastal and canyon areas from existing residences and public view points should be maximized while respecting rights of property owners proposing new construction (see Exhibit A).
- 4) Buildings shall be spaced and oriented in such a way as to project a sense of openness and randomness.
- 5) The siting of structures shall take into consideration the size and configuration of the lot so as to avoid the appearance of overbuilding (setback to setback) and overcrowding.
- 6) Structures shall be sited and designed to maintain privacy between adjacent properties.
- 7) Buildings shall have a desirable visual appearance from all view points, adjoining developments, streets and other view corridors.

### **Roofs**

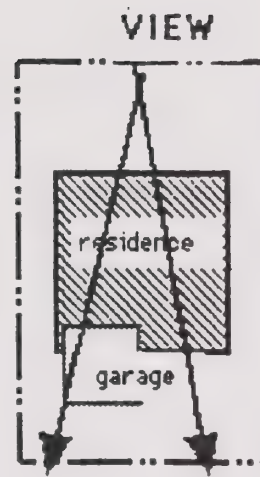
- 1) Roof design should minimize mass. Building forms, particularly roof forms, should step to follow the hillside contours and slope to increase the integration of the dwelling and site.
- 2) The pitch and scale of the roof shall be in proportion to the size of the structure and the size and configuration of the lot.
- 3) On sloping roofs, mechanical equipment, plumbing vents and skylight curbs should be located so they do not visually interrupt roof planes or profiles.
- 4) Roof protrusions, such as roof-mounted air conditioning units and solar collector panels, should be screened from view or otherwise incorporated into the design of the structure.
- 5) Excessive roof projections, overhangs and cantilevers should be avoided.



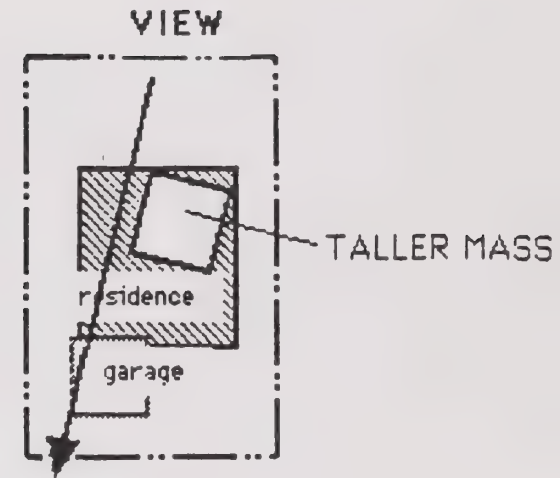




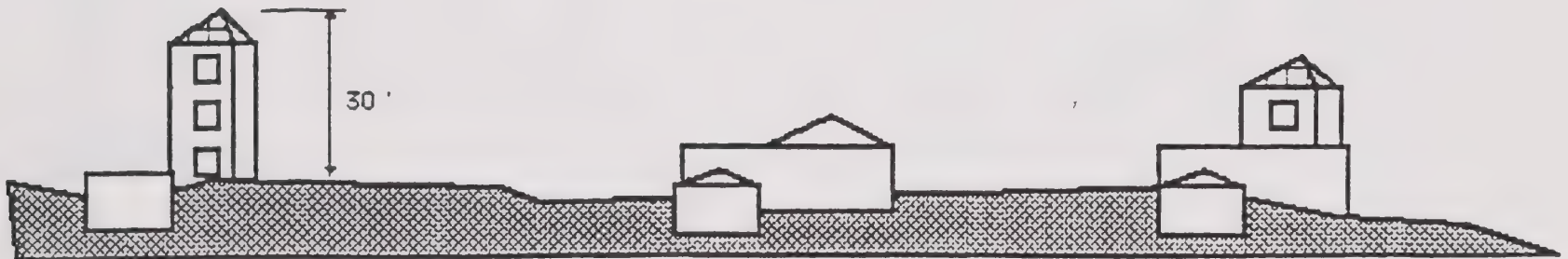
"TOWER" LIKE FORM  
SMALL FOOTPRINT  
(APPROX 15%)



1 STORY FORM  
LARGER FOOTPRINT

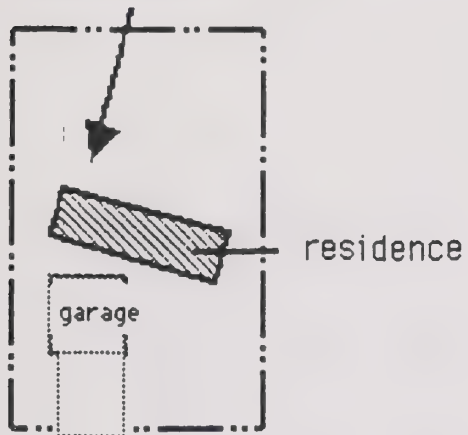


COMBINED MASSING  
FORMS





NO VIEW



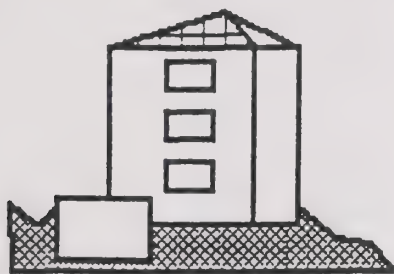
UNACCEPTABLE

"TOWER" LIKE FORM

SMALL FOOTPRINT

(APPROX 15%)

(MASSIVE PROFILE)







## **Materials and Colors**

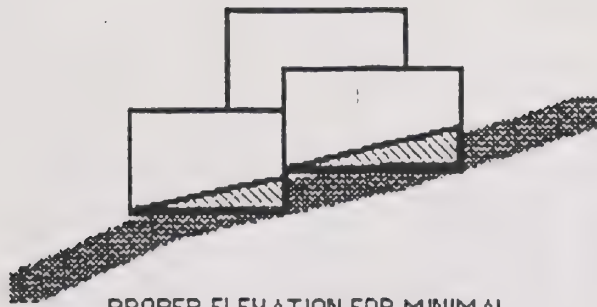
- 1) Colors are critical to maintain the rustic character of the neighborhood and shall be neighborhood sensitive. The use of colors shall be sensitive to the neighborhood and shall enhance the rustic character of the neighborhood.
- 2) Roof materials shall be of a type and quality consistent with the architectural design of the structure and shall be of fire resistive construction consistent with the current Uniform Fire Code. Roof colors shall be of darker tones, including browns, black, greens and terracotta. Bright colors including white and highly reflective materials shall be avoided.
- 3) Surface materials shall be rough textured to blend with the coarseness of landscaping and natural vegetation. Textured stucco, wood, earth tone brick and coarse block are appropriate.
- 4) Windows shall not have bare, untreated aluminum frames.

## **Grading**

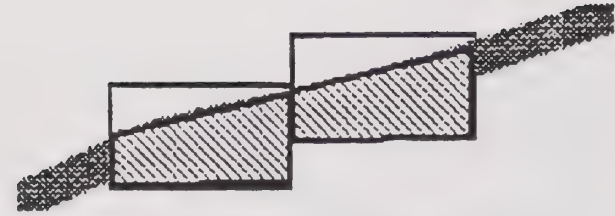
- 1) Buildings shall be terraced to follow the slope of the site (see Exhibit B).
- 2) Topographic variations within the site should be utilized rather than obliterated. Existing rock outcroppings and trees, for example, can be preserved by designing split levels, offsets in planes and courtyards. Soil disruption, displacement and compaction should be minimized and should not impact high value biological and unique geological features.
- 3) Hard edges left by cut and fill operations should be given a rounded appearance that more closely resembles the natural contours of the land.
- 4) Where cut or fill conditions are created, slopes should be varied rather than left at a constant angle which may be unstable or create an unnatural, rigid, "engineered" appearance.
- 5) The angle of any graded slope should be gradually adjusted to be consistent with the angle of the natural terrain.



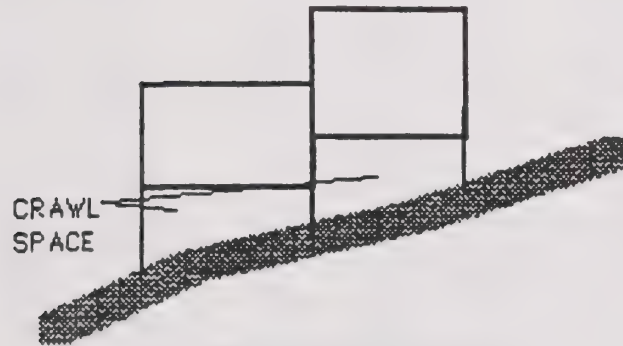




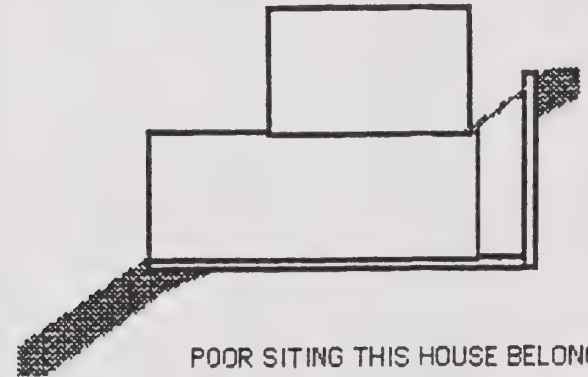
PROPER ELEVATION FOR MINIMAL  
GRADING AND RESPECT FOR LAND  
FORMS



POOR SITING TOO MUCH GRADING!



POOR SITING HOUSE RAISED  
FOR VIEW



POOR SITING THIS HOUSE BELONGS  
ON LOT WITH FLAT PAD



### Landscaping

- 1) Landscaping coverage and stabilization of graded slopes shall be designed to be compatible with surrounding natural vegetation or to replace removed natural vegetation and should recognize climatic, soil and ecologic characteristics of the region.
- 2) Where development occurs adjacent to undeveloped, natural open space, landscape planting shall provide a gradual transition from new ornamental material to native types. Hard, defined plant "edges" are discouraged.
- 3) Landscaping shall be used to preserve and frame the scenic view "windows" of hillsides, parks and ocean from adjacent lots.
- 4) Landscaping should be planned so as to be sensitive to the goal of public and private view preservation.
- 5) Diversity in form, texture and color of plant material is encouraged.
- 6) Clustered, informal planting schemes are encouraged to reflect a natural, unstructured theme.
- 7) Xerophytic materials, especially those native to the area shall be selected wherever feasible.
- 8) Plant material shall be fire resistant and fire retardant.
- 9) Discourage the use of plants that are highly combustible.
- 10) Plant materials that require excessive water after becoming established should be avoided.
- 11) Drip irrigation systems rather than conventional sprinklers are encouraged to conserve water and prevent runoff.

### Lighting

- 1) Lighting fixtures shall be compatible with the appearance of the residence.
- 2) Exterior lighting shall be located and shielded so as not to impact adjacent properties and/or the public viewsheds.



### Street Improvements, Parking and Signage

- 1) Required retaining walls within the street right-of-way should use components that avoid straight vertical and horizontal lines and should be terraced or stepped where feasible.
- 2) Retaining walls within the street right-of-way should be screened with landscaping using native vegetation wherever possible and should use materials that conform with and blend into the hillside.
- 3) Street signage shall be designed and constructed with natural materials and earth-toned colors that are consistent with the rustic nature of the neighborhood.
- 4) The use of permeable materials or grassroad pavers shall be encouraged for on-site parking as alternatives for concrete or asphalt.

### Fencing

- 1) Fencing shall not interfere with identified animal migration corridors.
- 2) Chain link fencing is not permitted.
- 3) Retaining walls or other support structures should be designed to minimize their visual impact by avoiding straight vertical and horizontal lines such as terracing, stepping, crib walls and appropriate landscaping.
- 4) Retaining walls should use materials that conform with and blend into the hillscape; these materials include cribbing, treated timber and rockwork veneers using native materials.
- 5) Retaining walls within the street right-of-way should be screened with landscaping using native vegetation wherever possible.
- 6) Walls and fences shall integrate materials and colors used in the facade of the structure.
- 7) Walls and fences that are visible from the public right-of-way shall be designed to incorporate visual interest.

## **SECTION VI IMPLEMENTATION**





## **SECTION VI: IMPLEMENTATION**

### **Introduction**

The Diamond/Crestview Specific Plan sets forth an assortment of land use controls in the form of goals, policies, development regulations and design guidelines. Implementation of these elements will require a variety of actions involving both private- and publicly-owned property.

The specific plan affects private property primarily through regulations of land uses and physical property improvements. Implementation of these regulations will be achieved primarily through the Design Review process utilizing the decision-making authority of the Design Review Board, Planning Commission and City Council.

The Diamond/Crestview Specific Plan identifies the need for a variety of physical improvements which focus on needed infrastructure to support the anticipated development of the area. As the document illustrates, road widening, installation of drainage control devices and sanitary sewer improvements influence the health and safety of residents located in and around the Plan area.

The following discussion is provided to describe the infrastructure requirements in the neighborhood, potential revenue sources and financing options, if the City were to install the necessary road improvements. As an alternative, the City could require the improvements by the lot owner as development occurs. Additionally, the City could finance some of the infrastructure through the methods listed below and require some of them as lots develop.

### **Infrastructure Requirements and Costs**

The infrastructure to be financed as part of the Diamond/Crestview Specific Plan include street improvements, sanitary sewer improvements, on-site drainage improvements and utility adjustments. The improvements and their estimated costs are summarized in Table 1. All costs are in 1992 dollars. Other improvements such as curb and gutter, street lights, underground utilities, enhanced landscaping and slope fencing would be additional cost items that would vary depending on how many of the options are chosen.

The following is a detailed estimate of the necessary quantity of infrastructure improvements needed to support the anticipated and existing development in the Plan area.

Street Improvements. The proposed street improvements and associated costs will consist of street grading, street retaining walls, terrace & downdrains, pavement, cross gutters, guardrails, erosion control, signage and striping, acquisition of easements and survey, engineering and inspection costs.

The streets will vary in width (traveled way) from a minimum of 12 feet to a maximum of 20 feet. To reduce grading and the possible need for large retaining walls, the existing road surface will be utilized where feasible and appropriate. The typical road section would be 16 feet of paved surface, but could be increased or decreased depending on the existing graded width of the roadbed and on conditions adjoining the roadbed. A two-foot shoulder will be provided on both sides of the street. Cut slopes will not exceed 1/2:1 and fill slopes will not exceed 1-1/2:1. Oversteepened slopes will minimize grading and are necessary to accommodate existing structures that are built into the right-of-way (see Figure 8, Exhibits C and Table 2).

Sanitary Sewer Improvements. The proposed sewer improvements and associated costs will consist of grading; installing approximately 6,550 lineal feet of sewer main and approximately 1,820 lineal feet of sewer laterals; upgrading and repairing existing sewer lines; excavating, constructing and adjusting sewer manholes; and survey, engineering and inspection costs (see Figure 9).

Drainage Improvements. The proposed drainage improvements and assessment costs will consist of installing approximately 1,500 lineal feet of drain lines; installing catchbasins, junction boxes, outlets and energy dissipaters; providing erosion control; obtaining easements for drainage facilities and survey, engineering and inspection costs.

Utility Adjustments. The proposed utility adjustments and associated costs will consist of relocating and adjusting approximately 40 utility poles; relocating and adjusting approximately 8 fire hydrants; installing 16 new fire hydrants and adjusting vaults, boxes and meters.

Other Improvements. Other improvements consist of a list of various options that may include the installation of up to 22,404 lineal feet of curb and gutter; undergrounding existing electrical and communications lines; installing up to 32 street lights; improving off-site drainage capacity; installing enhanced landscaping beyond basic erosion control; installing slope fencing; and additional survey, engineering and inspection costs. The cost of these improvements will vary depending upon the extent of improvement and which options are chosen. It should be



noted that in order to preserve the rustic character of the neighborhood, the Specific Plan calls for installation of curbs, gutters and streetlights only when it is necessary to ensure public health and safety.

### **Revenue Sources**

The City has several potential sources of revenue to fund the improvements for the Diamond/Crestview area. Listed below is an analysis of the potential sources of revenue.

#### **1. General Fund**

The City's general operating fund is used to finance and fund most of the programs in the City. This fund is used for general services such as police, park and recreation, fire, paramedics, marine safety, public works, and the general operations of the City. Presently the City has no surplus funds in the general fund to finance public improvements in the Diamond/Crestview area. In order to free up any of the general funds, a major reordering of priorities would be required and a reduction in other programs or an increase in general City fees and charges would be necessary. However, in view of the fact that the Diamond/ Crestview area is a limited area of the City, it is not appropriate to burden all of the taxpayers of the City to fund improvements for this area.

#### **2. Development Fees**

From each new single-family home, the City currently collects a new construction tax of \$3,000 as well as sewer connection fees, building permit fees, grading fees and other development-related fees. Under AB 1600 the City has endeavored to ensure that these fees reasonably relate to the cost of providing services for development. The City could consider establishing a special fee district for the Diamond/Crestview area to fund all or a part of the costs for the improvements. Based upon 100 vacant parcels, the approximate fee for the basic infrastructure would be approximately \$50,000 per parcel. If the City elects to construct the optional improvements, the required fee would be approximately \$83,000.

#### **3. Tax Increment Revenues**

By establishing a Redevelopment Agency ("RDA"), the City can collect the increase in property tax revenues resulting from the increased assessed valuation attributable to development in a redevelopment project area. The City conducted a preliminary analysis that indicates that the area would probably meet the



criteria for the establishment of a redevelopment area. Based upon this preliminary analysis, it does not appear that these revenues generated will be sufficient to pay the debt service necessary to finance the cost of improvements to the project area. However, the City could pledge the tax increment revenues to fund a portion of the costs for the improvements. It takes approximately ten months to form a redevelopment area and the actual amount of revenues collected will be dependent upon the rate of development occurring within the project area and the growth in taxable assessed value. The City has currently estimated that the rate of construction would be fifteen homes per year for the first two years, ten homes per year for the next two years and then five homes per year thereafter until a total of 100 homes are built. Listed below is a Table detailing the estimated revenues to be received based on this estimate.

#### Estimate Tax Increment Revenues

<u>Year</u>	<u>Number of Homes Built</u>	<u>Tax-Increment Revenues Available for Debt Service</u>
1993	0	\$ 6,069
1994	15	48,503
1995	15	95,642
1996	10	134,416
1997	10	177,135
1998	5	208,982
1999	5	243,649
2000	5	281,359
2001	5	322,353
2002	5	366,890
2003	5	415,246
2004	5	467,720
2005	5	524,632
2006	5	586,362
2007	5	653,170

The discussion of redevelopment agencies in general is included in Financing Options. The feasibility analysis of a Diamond/Crestview redevelopment area along with the projected tax increment revenue is shown in Table 3.

#### **4. Benefits Assessment**

The City may establish one of several types of benefit assessment districts for the Diamond/Crestview area. Under this concept the cost of these improvements is assessed to each property based upon the benefit received. The City can offer the property owners the

opportunity to pay off this assessment over a twenty- or twenty-five year period through the issuance of assessment district bonds. If the City utilizes this option, the revenue to repay the debt service is collected on the annual tax bill and is paid on a semi-annual basis by the property owners. The advantage of this method is that the cost of the improvements is borne by those property owners receiving direct benefit. This method would assure the City that all of the necessary revenues required to fund the construction of the project would be available at no additional cost to the City general fund or other residents within the City. The two most common methods of establishing benefit assessments include the establishment of an assessment district and the establishment of a community facilities district (Mello-Roos). These two methods are discussed further in Financing Options.

### Financing Options

Based on the previous discussion, it appears necessary to issue debt in order to complete any improvement projects in a timely manner. Two factors pertaining to the issuance of debt should be considered, namely 1) the type of financing mechanism to be used and 2) the source of repayment.

In determining which financing mechanism best assists the City's efforts to complete any improvement projects, the first concern of the City should be security. The financing mechanism selected must provide a secure revenue source that, to the largest degree possible, assures the ability to repay debt. Therefore, the security for the debt must be a steady, reliable revenue stream. The financing mechanism must also have the capability to be implemented in a timely and cost-effective manner. The financing vehicle must be sensitive to alternative construction schedules, project planning, and other timing factors. The recommended financing type must also be a low cost method of finance widely recognized in the credit market. A brief description of the primary methods of debt financing available to the City follows:

#### **1. Redevelopment Agency**

The City may seek to establish a Redevelopment Agency for the Diamond/Crestview area.

Redevelopment Agencies are provided by California law to assist public agencies in the reduction of "blight" within specified project areas. RDA's in conjunction with the powers and authorities of the City are allowed to use a variety of financing techniques, including, but not limited to, community or City

funds, tax increment financing, special assessment districts, nonprofit corporation, Mello-Roos Community Facilities District, and a variety of developer and Federal Funding assistance programs.

Under a Redevelopment Agency concept, the tax base is frozen for the project area with certain minor exceptions. As the value of the redeveloped property increases the property taxes will increase proportionally. That portion of property tax above the frozen base is known as tax increment and may be utilized by the redevelopment agency for debt service expenditures or to repay bonds that may be used for infrastructure improvements.

The City may wish to consider utilizing future tax increment funds to assist in the financing of the Diamond/Crestview improvements. The current estimate is that the City will have available approximately \$8.5 million over the next 20 years from tax increment revenues. In order to collect the tax increment the RDA needs to incur debt. The City may wish to enter into a agreement with the RDA to fund a portion of the improvements for the project area. The City would then be reimbursed by the RDA from tax increment revenues.

## **2. General Obligation Bonds**

The City could seek to fund the Diamond/Crestview area through the pledge of the full faith and credit of the City. Under this method, the City would need to obtain a two-thirds vote of all City voters to authorize the issuance of general obligation (GO) bonds. All residential and commercial property within the City would receive an annual levy based upon the value of the property. This levy would pay off the bonds in a manner similar to the City's existing GO Bonds for the purchase of Laguna Canyon. Because of the relatively small constituency which would benefit from these improvements and the requirement for a two-thirds vote, this revenue source does not appear to be a viable option.

## **3. Certificates of Participation**

Certificate financing is based on providing long-term financing through a long-term lease or installment sale arrangement. Certificates represent a proportionate interest of the holders to receive a portion of each payment made by the public agency under the installment sale agreement or lease between the public agency and third party.



Under the lease type of arrangement with the Certificate of Participation (COP), the City enters into an agreement with a third party (lessor) or nonprofit corporation to lease the facilities over a long-term period. The lessor remains as the owner of the facility until the debt service has been fully repaid. Under this arrangement, the City cannot make lease payments until it has the "use and possession" of the facility. Thus, if the construction period of the project is six months to a year, additional money in the debt issue must be allowed to pay the interest cost during the construction period. This amount, known as capitalized interest, increases the size of the issue.

The issuance of COP's by the City is one possible method of providing for the financing of the projects. To issue COPs the City would need to identify secure, long-term revenues that would be available to retire the debt. The City would be required to make a general fund pledge to act as security or pledge tax increment proceeds.

Since the roads and utilities for the project may not be considered adequate security by the credit markets, the City may be required to pledge one of its existing facilities as collateral.

Typically, COP issues are rated on a credit rating lower than on issuers' general obligation debt because COPs are not backed by the issuers' "full faith and credit." Therefore, annual interest rates are approximately 50 basis points more per year than general obligation bonds with a corresponding higher annual debt service. The process of issuing COPs is relatively straightforward and can be accomplished fairly quickly. It should be remembered that no election is required to issue COPs and that given acceptable levels of cash flow, security, and debt coverage the market readily accepts COPs.

#### **4. Special Tax Bond - Mello-Roos Community Facilities Act**

On January 2, 1983, the "Mello-Roos Community Facilities Act" became effective. This statute authorizes formation of community facilities districts to provide certain public services or facilities financed through electorate-approved special taxes securing long-term debt.

"Services" are defined as additional services performed by employees to provide police protection, fire protection and suppression services, recreation

program services, library services and operation and maintenance of parks, parkways and open spaces, and flood and storm protection.

"Facilities" include the purchase, construction, expansion, or rehabilitation of property having useful life of five years or longer, including, but not limited to:

- a. Local park, recreation, or parkway facilities;
- b. Elementary and secondary school sites and structures;
- c. Libraries;
- d. Childcare facilities;
- e. Any other governmental facilities the legislative body is authorized to construct, own or operate;
- f. Natural gas pipeline facilities, telephone lines, and facilities for the transmission or distribution of electrical energy to provide access to customers who do not have access to those services.

The question of the special tax levy needs to be submitted to the qualified electors not less than ninety (90) days, but not more than one hundred eighty (180) days following the close of the public protest hearing, whichever election date occurs first. A two-thirds vote of registered voters within the Specific Plan area would be necessary for any special tax levy, as well as for the issuance of long-term debt. If long-term bonded indebtedness is required, a resolution and public hearing is also required on the necessity to incur the debt.

The bonds are secured by the voted special taxes within the community facilities district, and this special tax is levied according to a special tax formula with the funds paid to the community facilities district for the particular (CFD) debt service.

Total debt service on a Mello-Roos financing is comparable to that of Special Assessment debt which is higher than the debt service for a COP issue. Therefore, Mello-Roos financings are generally more expensive than either general obligation or COP debt. The added expense is due to a number of reasons. The primary reason is that land-secured debt is perceived as being less secure than a "full faith and credit"

obligation debt. Mello-Roos financings also require a reserve fund which is usually about ten percent of the total issue size. To implement a CFD, a two-thirds voter approval by the qualified voters of the district would be required to have the measure approved and bonds sold.

## **5. Special Assessment Bonds**

A common method of financing capital improvements is to use the proceeds of bonds issued pursuant to the Municipal Improvement Act of 1913 and the Improvement Bond Act of 1915. Under this approach, an Assessment district is formed and the land to be benefited by the improvement is assessed to pay the costs and expenses of the improvements. Assessment district proceedings do not require a vote of the electorate; however, they are subject to a 50 percent majority protest. In certain instances, such as health or safety issues, the City Council is authorized to override a majority protest by a four-fifths vote. The concept of an Assessment District is to have the property owners pay their proportionate share of "specific benefits". They are traditionally used in less developed areas where certain facilities benefit only a small portion of City residents.

In order to establish an Assessment district for the Diamond/Crestview area, an allocation of the benefit received by each property owner would need to be undertaken. The entire amount of the proportionate share would be allocated to each property owner. Property owners would have the opportunity to pay the entire assessment in cash within thirty (30) days or allow the assessment to go to bond which would then result in a lien against their property. The annual payments for repayment of Assessment District bonds is made through the property tax bill which is an additional charge above and beyond property taxes. The improvement project outlined in the draft Environmental Impact Report provides a general benefit to a number of the residents within and around the project area. The cost of financing the improvement would be incurred only by those properties receiving a specific benefit from the construction.

### **Implementation Measures**

Certain additional actions are either desirable or essential to effectively carry out the Diamond/Crestview Specific Plan. They include:



1. Codify the development standards of the Specific Plan into the City's Zoning Code as part of the adoption of the Specific Plan.
2. At the time of adoption of the Specific Plan, the City Council will consider the various improvement alternatives that have been presented.
3. Prior to the installation of the roads, require verification from the Laguna Beach County Water District that the existing domestic water supply system is adequate for meeting household usage and fireflow demands.
4. In order to address issues of public health and safety related to construction impact establish mitigation measures which may include a planning program for residential construction within three months of adoption of the Specific Plan.
5. Within three months of the adoption of the Specific Plan, adopt an ordinance amending the Uniform Building Code and Fire Codes to require fire resistive construction and sprinklers for the Diamond/Crestview Plan area.
6. Within six months of the adoption of the Specific Plan, adopt an in-lieu parking fee program to fund the installation of parking in the neighborhood.
7. Within six months of the adoption of the Specific Plan, establish an open space acquisition mitigation fee and a method to determine priority of the lots to be acquired.
8. Within six months of the adoption of the Specific Plan, adopt a resolution to impose parking restrictions in the Plan area where the minimum traversable street section is less than 16 feet wide for two-way traffic.
9. Within one year of adoption of the Specific Plan, identify the locations of potential Heritage Trees.
10. Within one year of the adoption of the Specific Plan, inventory the neighborhood for significant historic structures.
11. Consider increases in staffing and design review fees to provide staff reports to the Design Review Board for each project in the Plan area.

**SUMMARY OF PRELIMINARY DIAMOND/CRESTVIEW IMPROVEMENT COSTS**

<b>A) STREET IMPROVEMENTS</b>	<b>\$2,798,342</b>
<b>B) SANITARY SEWER IMPROVEMENTS</b>	<b>\$1,888,900</b>
<b>C) ON-SITE DRAINAGE IMPROVEMENTS</b>	<b>\$404,300</b>
<b>D) UTILITY ADJUSTMENTS</b>	<b>\$220,800</b>
<b>SUBTOTAL :</b>	<b>\$5,312,342</b>
<b>E) OTHER IMPROVEMENTS</b>	<b>\$3,371,103</b>
<b>TOTAL</b>	<b>\$8,683,445</b>

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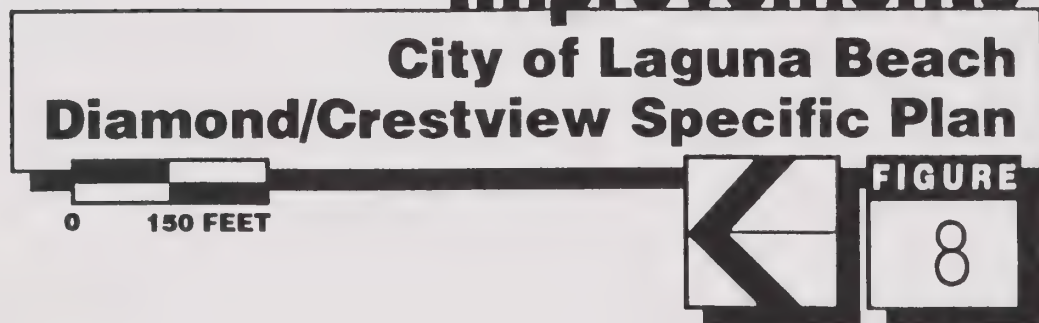
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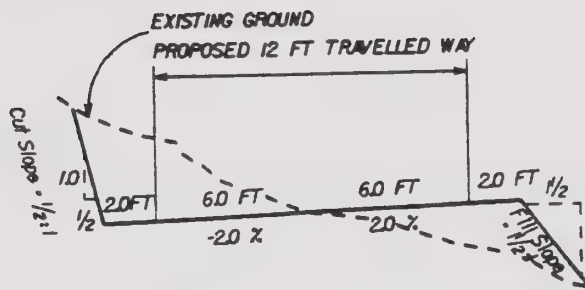
(Plus 2 Foot Shoulder Each Side)

## Proposed Road Improvements

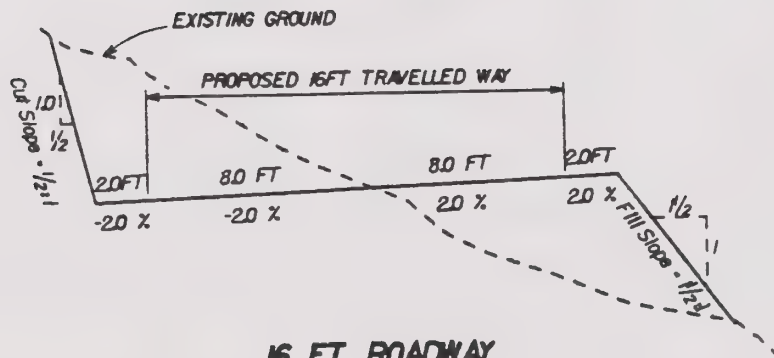
### City of Laguna Beach Diamond/Crestview Specific Plan



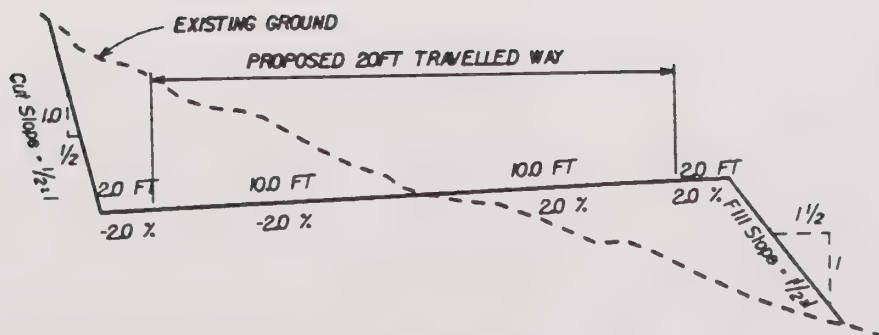




**12 FT ROADWAY**



**16 FT ROADWAY**



**20 FT ROADWAY**





TRACT 764 ROADWAY ESTIMATOR

LOCATION-----BEG STA-----END STA-----LENGTH-----WIDTH-----AREA-

Lower Diamond	0	1054	1054	20	21080
Upper Diamond	10231	10966	735	20	14700
Summit Way	20000	21385	1385	20	27700
Gainsborough Dr	40000	41135	1135	20	22700
Gainsborough Way	60000	60585	585	20	11700
Crestview Drive	70025	72495	2470	20	49400

Lower Diamond	1054	1592	538	16	8608
Upper Diamond	10000	10231	231	16	3696
Summit Way	21385	23000	1615	16	25840
Gainsborough Dr	41135	41305	170	16	2720
Gainsborough Ct	50000	50312	312	16	4992
Crestview Place	80000	80400	400	16	6400

Crestview Pl	80400	80972	572	12	6864
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Subtotals	11202	206400
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Adjust for 2-foot shoulder each side (Length x 4 Sq Ft) 251208 Sq Ft

Convert Sq Ft 3" thick to A/C Tons (Sq Ft \* 0.0177969) 4471 Tons AC

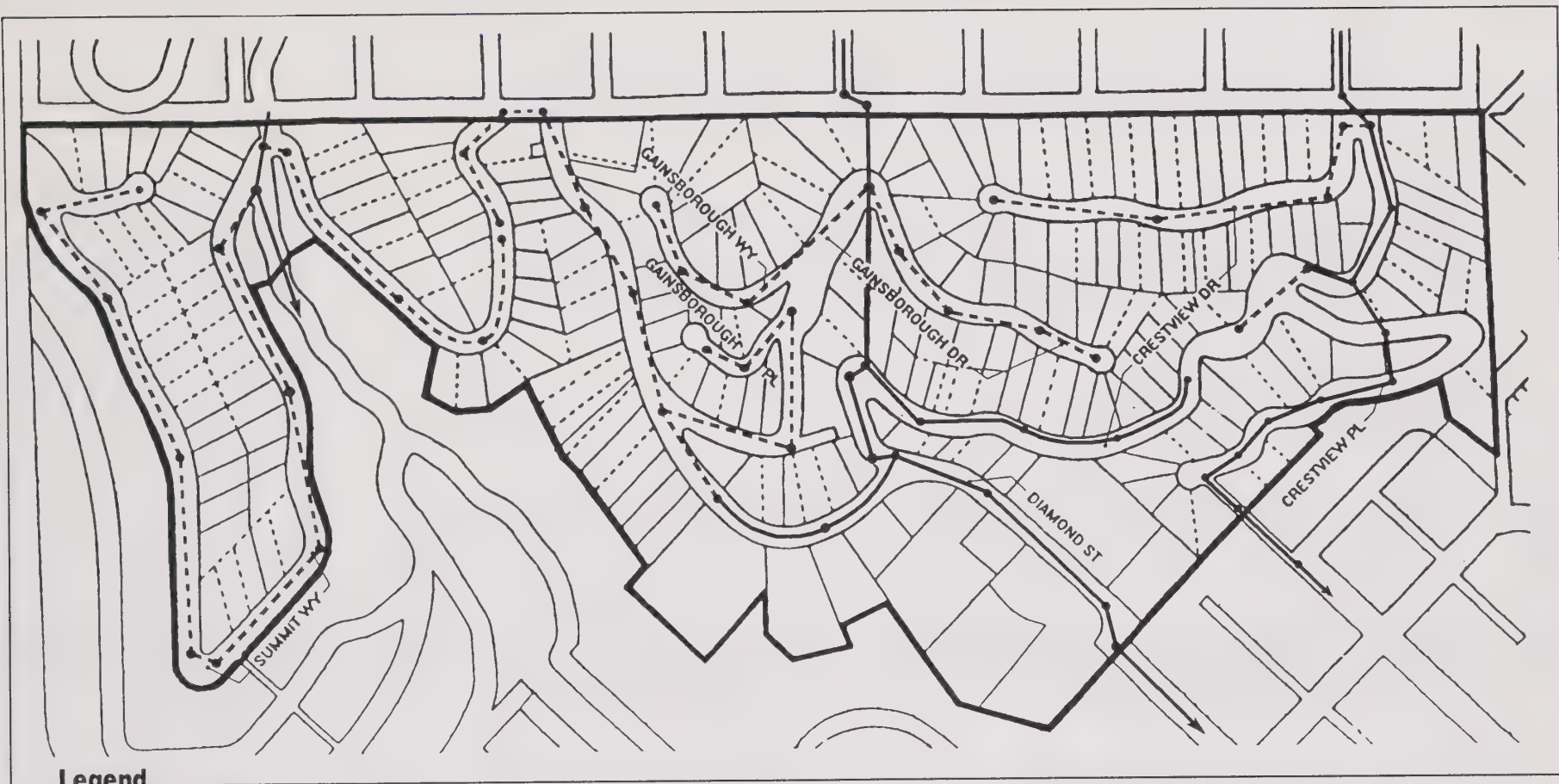
Convert Sq Ft 6" thick to A/B Tons (Sq Ft \* 0.0329157) 8269 Tons AB

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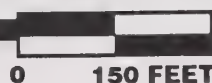


**Legend**



# Sanitary Sewers

**City of Laguna Beach  
Diamond/Crestview Specific Plan**



**FIGURE**  
**9**



**Tax Increment Forecast  
Tract 764**

	Beginning Assessed Val.	New Development	New Dev. + 6 % Annual Incr.	Net A.V. Increase	Net T.I. 1 Percent Property Tax	80% Net T.I.	60% of 80% Tax Incr.
1992/93	\$21,073,690	\$0	\$22,338,111	\$1,264,421	\$12,644	\$10,115	\$6,069
1993/94	22,338,111	7,500,000	31,178,398	10,104,708	101,047	80,838	48,503
1994/95	31,178,398	7,950,000	40,999,102	19,925,412	199,254	159,403	95,642
1995/96	40,999,102	5,618,000	49,077,048	28,003,358	280,034	224,027	134,416
1996/97	49,077,048	5,955,080	57,976,751	36,903,061	369,031	295,224	177,135
1997/98	57,976,751	3,156,192	64,611,548	43,537,858	435,379	348,303	208,982
1998/99	64,611,548	3,345,564	71,833,805	50,760,115	507,601	406,081	243,649
1999/00	71,833,805	3,546,298	79,690,131	58,616,441	586,164	468,932	281,359
2000/01	79,690,131	3,759,076	88,230,615	67,156,925	671,569	537,255	322,353
2001/02	88,230,615	3,984,620	97,509,072	76,435,382	764,354	611,483	366,890
2002/03	97,509,072	4,223,697	107,583,314	86,509,624	865,096	692,077	415,246
2003/04	107,583,314	4,477,119	118,515,432	97,441,742	974,417	779,534	467,720
2004/05	118,515,432	4,745,746	130,372,104	109,298,414	1,092,984	874,387	524,632
2005/06	130,372,104	5,030,491	143,224,921	122,151,231	1,221,512	977,210	586,326
2006/07	143,224,921	5,332,321	157,150,737	136,077,047	1,360,770	1,088,616	653,170
2007/08	157,150,737	0	166,579,782	145,506,092	1,455,061	1,164,049	698,429
2008/09	166,579,782	0	176,574,569	155,500,879	1,555,009	1,244,007	746,404
2009/10	176,574,569	0	187,169,043	166,095,353	1,660,954	1,328,763	797,258
2010/11	187,169,043	0	198,399,185	177,325,495	1,773,255	1,418,604	851,162
2011/12	198,399,185	0	210,303,136	189,229,446	1,892,294	1,513,836	908,301
2012/13	210,303,136	0	222,921,325	201,847,635	2,018,476	1,614,781	968,869
2013/14	222,921,325	0	236,296,604	215,222,914	2,152,229	1,721,783	1,033,070
2014/15	236,296,604	0	250,474,400	229,400,710	2,294,007	1,835,206	1,101,123
2015/16	250,474,400	0	265,502,864	244,429,174	2,444,292	1,955,433	1,173,260
2016/17	265,502,864	0	281,433,036	260,359,346	2,603,593	2,082,875	1,249,725
2017/18	281,433,036	0	298,319,018	277,245,328	2,772,453	2,217,963	1,330,778
2018/19	298,319,018	0	316,218,159	295,144,469	2,951,445	2,361,156	1,416,693
2019/20	316,218,159	0	335,191,249	314,117,559	3,141,176	2,512,940	1,507,764
2020/21	335,191,249	0	355,302,724	334,229,034	3,342,290	2,673,832	1,604,299
2021/22	355,302,724	0	376,620,887	355,547,197	3,555,472	2,844,378	1,706,627
2022/23	376,620,887	0	399,218,141	378,144,451	3,781,445	3,025,156	1,815,093
2023/24	399,218,141	0	423,171,229	402,097,539	4,020,975	3,216,780	1,930,068
2024/25	423,171,229	0	448,561,503	427,487,813	4,274,878	3,419,903	2,051,942
2025/26	448,561,503	0	475,475,193	454,401,503	4,544,015	3,635,212	2,181,127
2026/27	475,475,193	0	504,003,705	482,930,015	4,829,300	3,863,440	2,318,064
2027/28	504,003,705	0	534,243,927	513,170,237	5,131,702	4,105,362	2,463,217
2028/29	534,243,927	0	566,298,562	545,224,872	5,452,249	4,361,799	2,617,079
2029/30	566,298,562	0	600,276,476	579,202,786	5,792,028	4,633,622	2,780,173
2030/31	600,276,476	0	636,293,065	615,219,375	6,152,194	4,921,755	2,953,053
2031/32	636,293,065	0	674,470,649	653,396,959	6,533,970	5,227,176	3,136,305
2032/33	674,470,649	0	714,938,888	693,865,198	6,938,652	5,550,922	3,330,553
2033/34	714,938,888	0	757,835,221	736,761,531	7,367,615	5,894,092	3,536,455
2034/35	757,835,221	0	803,305,334	782,231,644	7,822,316	6,257,853	3,754,712
2035/36	803,305,334	0	851,503,654	830,429,964	8,304,300	6,643,440	3,986,064
2036/37	851,503,654	0	902,593,873	881,520,183	8,815,202	7,052,161	4,231,297
<hr/>							
	\$68,624,205				\$134,814,704	\$107,851,764	\$64,711,058

**ASSUMPTIONS  
TAX INCREMENT FORECAST  
TRACT 764**

1. The project is entitled to increment in 1992-93.
2. The assessed value increases 6% per year which includes 2% for inflation and 4% for anticipated turnover.
3. The assessed value of new development is not included in the 2% turnover rate the year it is added to the assessed value. In the year following its addition to the assessed value it is assumed to be subject to the 2% inflation rate and the 4% turnover rate.
4. Fifteen units per year are added to the tax role in the first two years of the project, 10 units per year for the next two years and five units a year for the following ten years. The estimated increase in assessed valuation is \$500,000 per unit in 1993-94. Each year thereafter the per unit estimated A.V. is increased by 6% over the prior year.
5. The column headed 80% Net T.I. (tax increment) is the estimated amount the agency would be entitled to if it received 100% of the increment revenues less the 20% housing set aside.
6. The column headed 60% of 80% of Tax Increment is the estimated amount the agency would be entitled to after crediting 20% to the housing set aside and passing through 40% of the remainder to the other taxing jurisdictions. The net distribution of tax increment would be as follows: Agency 48%; Housing set-aside 20%; and, other taxing jurisdictions 32%.





# CITY OF LAGUNA BEACH RDA & DEVELOPMENT FEE REVENUES

NET DEBT SERVICE REQUIREMENTS MINIMUM IMPROVEMENTS											
FY ENDING	GROSS D.S.	HOMES BUILT	ESTIMATED RDA REVENUES	NO FEES		\$5,000 FEE		\$10,000 FEE		\$15,000 FEE	
				NET D.S.		FEE REVENUE	NET D.S.	FEE REVENUE	NET D.S.	FEE REVENUE	NET D.S.
1992	\$0.00	0	\$0	\$0		\$0.00	\$0	\$0	\$0	\$0	\$0
1993	\$618,930	15	\$8,069	\$612,861		\$75,000.00	\$537,861	\$150,000	\$462,861	\$225,000	\$387,861
1994	\$618,930	15	\$48,503	\$570,427		\$75,000.00	\$495,427	\$150,000	\$420,427	\$225,000	\$345,427
1995	\$618,930	10	\$95,842	\$523,288		\$50,000.00	\$473,288	\$100,000	\$423,288	\$150,000	\$373,288
1996	\$618,930	10	\$134,416	\$484,514		\$50,000.00	\$434,514	\$100,000	\$384,514	\$150,000	\$334,514
1997	\$618,930	5	\$177,135	\$441,795		\$25,000.00	\$416,795	\$50,000	\$391,795	\$75,000	\$366,795
1998	\$618,930	5	\$208,982	\$409,948		\$25,000.00	\$384,948	\$50,000	\$359,948	\$75,000	\$334,948
1999	\$618,930	5	\$243,649	\$375,281		\$25,000.00	\$350,281	\$50,000	\$325,281	\$75,000	\$300,281
2000	\$618,930	5	\$281,359	\$337,571		\$25,000.00	\$312,571	\$50,000	\$287,571	\$75,000	\$262,571
2001	\$618,930	5	\$322,353	\$296,577		\$25,000.00	\$271,577	\$50,000	\$246,577	\$75,000	\$221,577
2002	\$618,930	5	\$366,890	\$252,040		\$25,000.00	\$227,040	\$50,000	\$202,040	\$75,000	\$177,040
2003	\$618,930	5	\$415,246	\$203,684		\$25,000.00	\$178,684	\$50,000	\$153,684	\$75,000	\$128,684
2004	\$618,930	5	\$467,720	\$151,210		\$25,000.00	\$126,210	\$50,000	\$101,210	\$75,000	\$76,210
2005	\$618,930	5	\$524,632	\$94,298		\$25,000.00	\$69,298	\$50,000	\$44,298	\$75,000	\$19,298
2006	\$618,930	5	\$586,326	\$32,604		\$25,000.00	\$7,604	\$50,000	(\$17,396)	\$75,000	(\$42,396)
2007	\$618,930	0	\$653,170	(\$34,240)		\$0.00	(\$34,240)	\$0	(\$34,240)	\$0	(\$34,240)
2008	\$618,930	0	\$698,429	(\$79,499)		\$0.00	(\$79,499)	\$0	(\$79,499)	\$0	(\$79,499)
2009	\$618,930	0	\$746,404	(\$127,474)		\$0.00	(\$127,474)	\$0	(\$127,474)	\$0	(\$127,474)
2010	\$618,930	0	\$797,258	(\$178,328)		\$0.00	(\$178,328)	\$0	(\$178,328)	\$0	(\$178,328)
2011	\$618,930	0	\$851,162	(\$232,232)		\$0.00	(\$232,232)	\$0	(\$232,232)	\$0	(\$232,232)
2012	\$618,930	0	\$908,301	(\$289,371)		\$0.00	(\$289,371)	\$0	(\$289,371)	\$0	(\$289,371)
TOTAL	\$12,378,600	100	\$8,533,646	\$3,844,954		\$500,000	\$3,344,954	\$1,000,000	\$2,844,954	\$1,500,000	\$2,344,954

NET DEBT SERVICE REQUIREMENTS OPTIONAL IMPROVEMENTS											
FY ENDING	GROSS D.S.	HOMES BUILT	ESTIMATED RDA REVENUES	NO FEES		\$5,000 FEE		\$10,000 FEE		\$15,000 FEE	
				NET D.S.		FEE REVENUE	NET D.S.	FEE REVENUE	NET D.S.	FEE REVENUE	NET D.S.
1992	\$0.00	0	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0
1993	\$1,015,310	15	\$6,069	\$1,009,241		\$75,000	\$934,241	\$150,000	\$859,241	\$225,000	\$784,241
1994	\$1,015,310	15	\$48,503	\$966,807		\$75,000	\$891,807	\$150,000	\$816,807	\$225,000	\$741,807
1995	\$1,015,310	10	\$95,842	\$919,668		\$50,000	\$869,668	\$100,000	\$819,668	\$150,000	\$769,668
1996	\$1,015,310	10	\$134,416	\$880,894		\$50,000	\$830,894	\$100,000	\$780,894	\$150,000	\$730,894
1997	\$1,015,310	5	\$177,135	\$838,175		\$25,000	\$813,175	\$50,000	\$788,175	\$75,000	\$763,175
1998	\$1,015,310	5	\$208,982	\$806,328		\$25,000	\$781,328	\$50,000	\$756,328	\$75,000	\$731,328
1999	\$1,015,310	5	\$243,649	\$771,661		\$25,000	\$746,661	\$50,000	\$721,661	\$75,000	\$696,661
2000	\$1,015,310	5	\$281,359	\$733,951		\$25,000	\$708,951	\$50,000	\$683,951	\$75,000	\$658,951
2001	\$1,015,310	5	\$322,353	\$692,957		\$25,000	\$667,957	\$50,000	\$642,957	\$75,000	\$617,957
2002	\$1,015,310	5	\$366,890	\$648,420		\$25,000	\$623,420	\$50,000	\$598,420	\$75,000	\$573,420
2003	\$1,015,310	5	\$415,246	\$600,064		\$25,000	\$575,064	\$50,000	\$550,064	\$75,000	\$525,064
2004	\$1,015,310	5	\$467,720	\$547,590		\$25,000	\$522,590	\$50,000	\$497,590	\$75,000	\$472,590
2005	\$1,015,310	5	\$524,632	\$490,678		\$25,000	\$465,678	\$50,000	\$440,678	\$75,000	\$415,678
2006	\$1,015,310	5	\$586,326	\$428,984		\$25,000	\$403,984	\$50,000	\$378,984	\$75,000	\$353,984
2007	\$1,015,310	0	\$653,170	\$362,140		\$0	\$362,140	\$0	\$362,140	\$0	\$362,140
2008	\$1,015,310	0	\$698,429	\$316,881		\$0	\$316,881	\$0	\$316,881	\$0	\$316,881
2009	\$1,015,310	0	\$746,404	\$268,906		\$0	\$268,906	\$0	\$268,906	\$0	\$268,906
2010	\$1,015,310	0	\$797,258	\$218,052		\$0	\$218,052	\$0	\$218,052	\$0	\$218,052
2011	\$1,015,310	0	\$851,162	\$164,148		\$0	\$164,148	\$0	\$164,148	\$0	\$164,148
2012	\$1,015,310	0	\$908,301	\$107,009		\$0	\$107,009	\$0	\$107,009	\$0	\$107,009
TOTAL	\$20,306,198	100	\$8,533,646	\$11,772,552		\$500,000	\$11,272,552	\$1,000,000	\$10,772,552	\$1,500,000	\$10,272,552

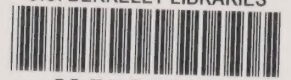
GEND  
 S - DEBT SERVICE  
 A - REDEVELOPMENT AGENCY







U.C. BERKELEY LIBRARIES



C124907625

